



Bromley Briefings Prison Factfile

Autumn 2017

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

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We are grateful to everyone who has provided updated information and statistics during the production of this edition.

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Contents

Introduction	5
The state of our prisons	
The long view	8
Sentencing and the use of custody	12
Safety in prisons	14
Treatment and conditions	16
Overcrowding and changes to the prison estate	18
Prison service resources and staffing	19
Private prisons	20
People in prison	
Social characteristics of adult prisoners	22
People on remand	23
Black, Asian and minority ethnic people in prison	24
Older people in prison	26
Life and indeterminate sentences	28
People with learning disabilities and difficulties	30
Foreign nationals in prison	32
Women in prison	34
Children in prison	37
Young adults in prison	40
Health in prison	
Drugs and alcohol	42
Mental health	44
Disability and health	45
Rehabilitation and resettlement	
Reoffending	48
Purposeful activity	49
Resettlement	53
Family	54
Other UK prison systems	
Scotland	56
Northern Ireland	59

Introduction

This year's Bromley Briefings open with a brand new section which we have called "The long view". The Prison Reform Trust has built its reputation over more than three decades on presenting accurate evidence about prisons and the people in them. In a world where ministers feel compelled to respond to issues with ever greater immediacy, "The long view" offers an antidote to the latest Twitter storm or early morning grilling in the media.

We have chosen to concentrate in this briefing on the issue of overcrowding. What the evidence shows is that the core of the current government's approach—to spend more building more prison spaces—is identical to the actions of all its predecessors since the early 1990s.

There is every possible indication that it will meet the same fate. So PRT has commissioned two pieces of expert independent analysis relevant to any serious strategic policy to solve the problem of overcrowding.

First, we asked a former Director of Finance for the prison service, Julian Le Vay, to analyse the published data on the Ministry of Justice's spending review settlement with the Treasury and its plans for future investment in new prisons. He concluded that the capital cost of a policy based on building more prisons since 1980 has been £3.7bn, and generated an additional annual running cost of £1.5bn—enough to have built 25,000 new homes, and to be employing 50,000 more nurses or teachers. But he also concludes that the ministry's current ambitions are inadequately funded to the tune of £162m in 2018/19, rising to £463m in 2022/23. On current population projections, there is no prospect of any impact on overcrowding before 2022, and a further new programme of building will be needed from 2026.

Secondly, we asked Dr Savas Hadjipavlou, of Justice Episteme, to run a scenario on the sophisticated model he has created. This uses what we know about the typical life histories of people who end up in the criminal justice system, together with what we know about how that system operates, to assess the impact of demographic or other changes on key criminal justice outcomes—including the likely size of the prison population. The scenario removed the statutory changes that have inflated sentencing since 2003, and suggests that we would now have a prison population of 70,000 had those changes not been made—in other words, a population several thousand below the system's current uncrowded capacity.

In 1990, the then Director General of the prison service said:

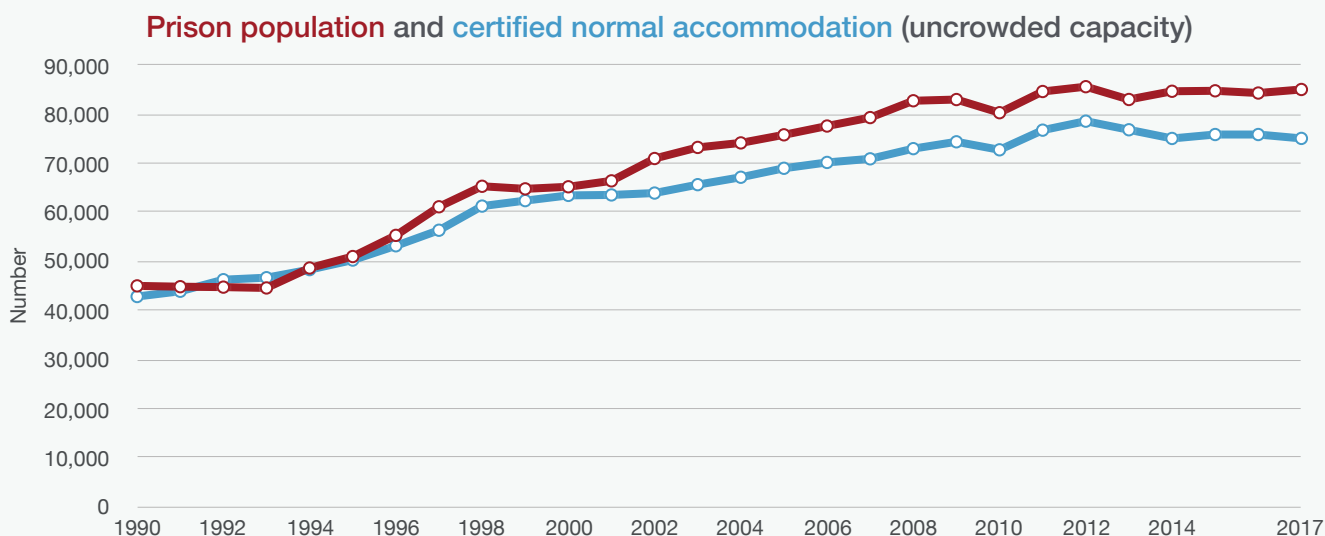
"The removal of overcrowding is, in my view, an indispensable pre-condition of sustained and universal improvement in prison conditions...for improvement to be solid and service-wide, the canker of overcrowding must be rooted out."

Few with any close knowledge of the system would take a different view now. Given this briefing's depressing catalogue of failure to improve conditions in our prisons over the last 12 months, it is essential that the current justice secretary—a historian himself—learns the lessons of the past. He can no more build his way to a decent prison service than any of his predecessors. There is an affordable and practical route to reform, but it requires a fundamental rethink of who goes to prison, and for how long. A wise secretary of state should choose no other foundation on which to build.

THE STATE OF OUR PRISONS

The long view

In this section, we look at a familiar issue but from the perspective of over three decades of informed commentary. Overcrowding has been a constant in the operating context for the prison service since 1994, despite a virtually permanent programme of prison building. This section examines its impact, the policy response to it and its outcome so far.



Source: Ministry of Justice, Offender management statistics and monthly population statistics

Overcrowding was recognised as one of the essential causative factors in the series of disturbances triggered by the Strangeways riot in the spring of 1990.

“The removal of overcrowding is, in my view, an indispensable pre-condition of sustained and universal improvement in prison conditions...for improvement to be solid and service-wide, the canker of overcrowding must be rooted out.”

Director General of the Prison Service giving evidence to the Woolf inquiry after the Strangeways riot, 1990

In his seminal report following the disturbances the then Lord Justice Woolf consequently recommended a permanent statutory mechanism to end overcrowding...

Recommendation 7: A new prison rule that no establishment should hold more prisoners than is provided for in its certified normal level of accommodation with provisions for parliament to be informed if exceptionally there is to be a material departure from that rule.

Woolf report, 1990

...which the then government accepted—in principle.

“A decent service depends on the end of overcrowding...the government accepts therefore that the objective should be that no prisoner should have to be accommodated in overcrowded conditions.”

Home Office, Custody, Care and Justice, 1991

But this trenchant criticism of overcrowding in the report by Mr Justice Keith into the murder of Zahid Mubarek by his cell mate in a shared cell in HM YOI Feltham could still be made 15 years later.

“Overcrowding resulted in increased pressure on such facilities as Feltham offered, and the ever-changing level of its population affected the flow of information about individual prisoners. All of these factors helped to reduce the time prisoners had out of their cells to a minimum, and that made prisoners more likely to take out their frustrations on their cellmates.”

Report of the Zahid Mubarek Inquiry, 2006

In response, the government’s principled commitment to end overcrowding was restated:

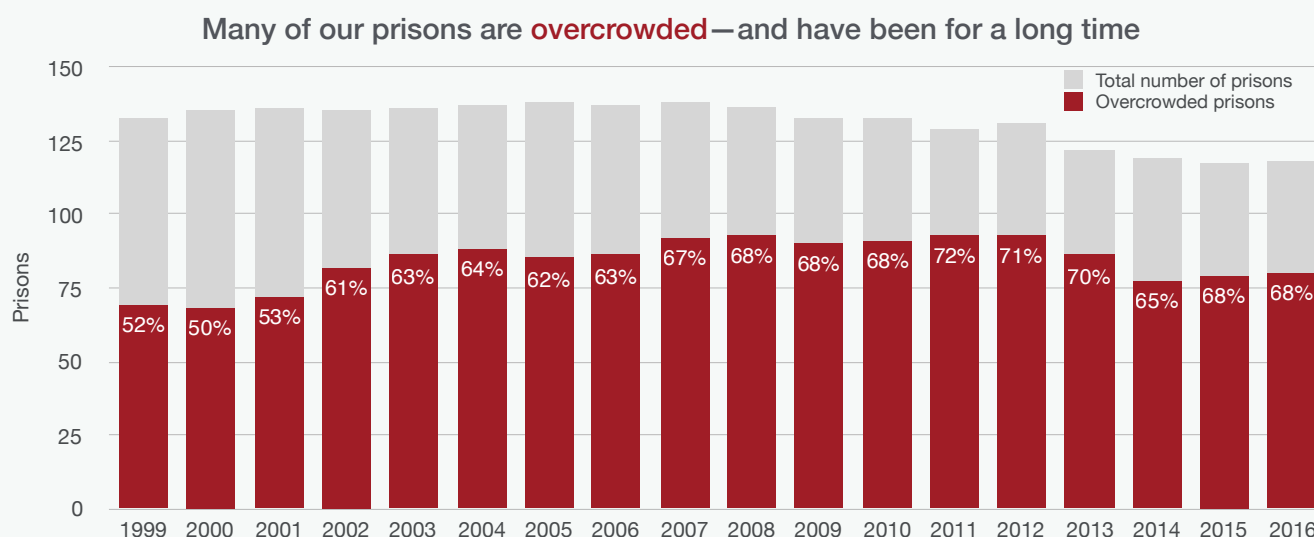
“The elimination of enforced cell sharing should remain the objective of the Prison Service, and the achievement of this goal should be regarded as a high priority.

“**Accepted in principle.** As noted in the initial response, the elimination of forced cell sharing will continue to be the objective of the Prison Service, but it will continue to be necessary for some time yet, owing to population pressures.”

But in an update in 2011, even this limited goal was abandoned.

“Following the Spending Review settlement in October 2010, the need for NOMS to reduce its costs means that we must reduce our capacity requirements where feasible against current population projections. As a result, it will not be feasible to provide the additional places required to eliminate enforced cell sharing.”

In reality, the existence or otherwise of a policy has made no difference to prisoners—two thirds of prisons have had some overcrowding for most of this century.



Source: Ministry of Justice, Annual National Offender Management Service digest: 2016 to 2017 and monthly population statistics

Overcrowding cripples the prison system’s ability to provide a decent and constructive public service. This is not just because 21,000 people still share cells, for up to 23 hours a day, designed for fewer occupants, often eating their meals in the same space as the toilet they share. It is also because every day people are bussed around the country to extraordinarily remote locations just to make sure that every last bed space is filled.

Inspectors regularly find a third or more people unoccupied during the working day because a prison holds more people than it should. People progressing well with their sentence are suddenly told they must move on, regardless of any courses they may be undertaking, or their family ties to an area.

The effects of overcrowding have been spelt out in successive reports by inspectors and Independent Monitoring Boards for more than three decades.

“To relieve overcrowding, [HMP Brixton] is constantly having to select batches of prisoners to send to other establishments. Indeed, because of this overcrowding, a number of prisoners must be kept frequently in police custody overnight instead of being received into the prison.”

HM Inspectorate of Prisons, HMP Brixton 1983

“The cells on the top two floors were being used as double cells by the simple addition of a bunk bed. Prisoners sharing these facilities, including the toilet, were obliged to do so with a stranger.”

HM Inspectorate of Prisons, HMP Wormwood Scrubs 1999

“I find it hard to believe that overcrowding drafts of prisoners from HMP Belmarsh, in South London, are in the best interests of what is, essentially, a Liverpool prison.”

HM Inspectorate of Prisons, HMP Liverpool 1999

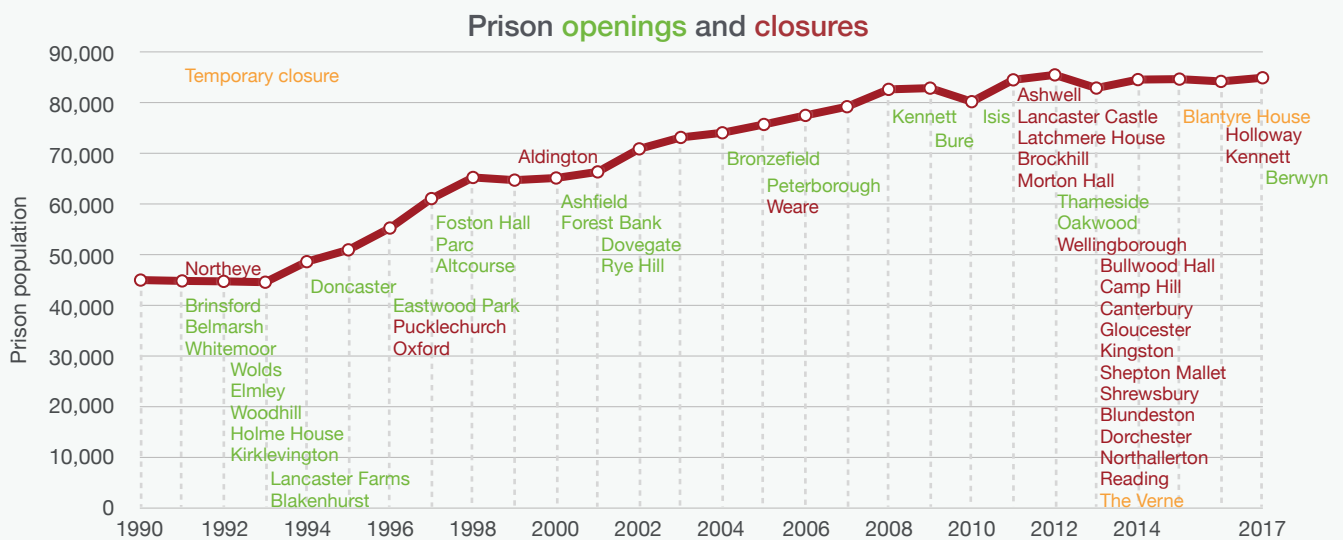
“In common with all other prisons in the UK, the pressure on prison spaces is extreme, placing considerable pressure on staff, inmates and the ageing fabric of the prison.”

Independent Monitoring Board, HMP Wandsworth 2006

“During the course of the year I have been appalled by the conditions in which we hold many prisoners. Far too often I have seen men sharing a cell in which they are locked up for as much as 23 hours a day, in which they are required to eat all their meals, and in which there is an unscreened lavatory.”

HM Chief Inspector of Prisons Annual Report 2016–17

But successive governments have been far from idle. There has been massive investment in new prisons and extensions to existing prisons.



Source: Ministry of Justice Offender management statistics; Monthly population statistics; Safety in custody statistics; and National Audit Office, Managing the prison estate

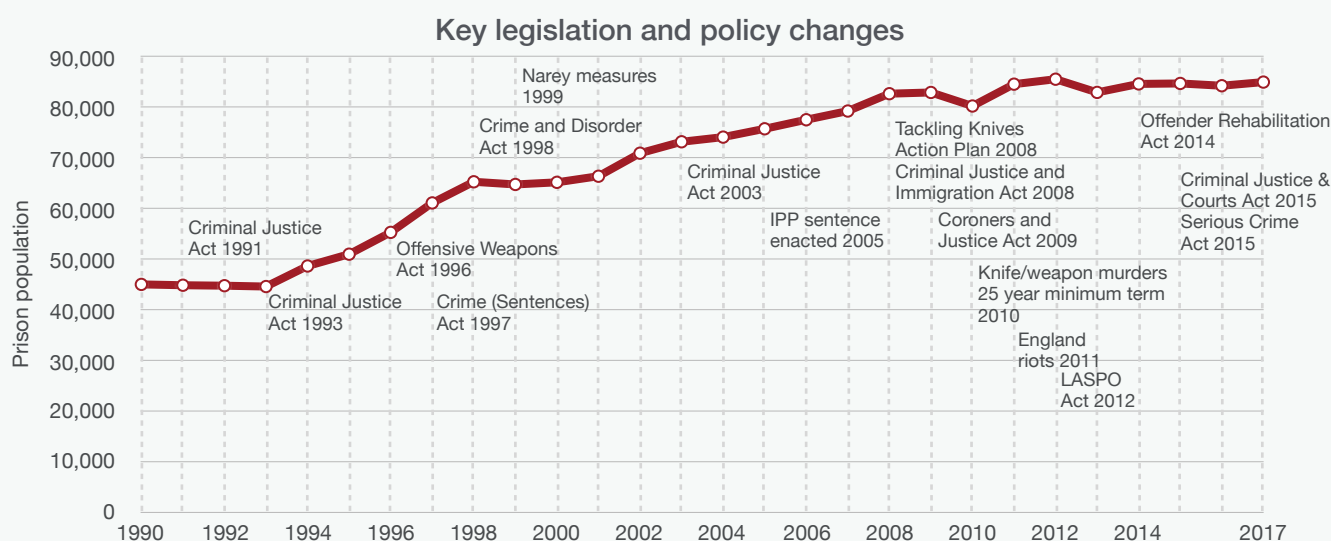
In less than 30 years certified normal accommodation (uncrowded capacity) has increased by over 32,000 places, whilst the number of people in prison has grown by over 40,000. Our desire to lock up more people for ever increasing periods of time has not been matched by the necessary resources.

As pressure for prison places has grown, our prison estate has grown. As our prison estate has grown, our population has grown further still. New prisons and specialist wings built with the promise of better conditions and greater opportunities for rehabilitation, have quickly succumbed to population management pressures—with additional places being certified, above the original plans. Where there was one person to a cell, now there are two, sharing space, staff, places on workshops and courses, and a toilet.

In 2012 HMP Oakwood, a brand new 1,600 place prison, opened, then the largest in England and Wales. Within four years the prison was told that it would need to make room for 500 more people.

While there has been intense focus and investment in building new capacity, there has been little or no attention given to reducing demand. As our section on sentencing and the use of custody (page 12) shows, it is the growth in sentence lengths for the most serious offences which keeps our imprisonment rate for men the highest in western Europe. Whilst for women, disproportionately sent to prison for non-violent crime and on short sentences, the answer lies largely in diverting people from custody altogether.

Whilst sentences are passed by the courts, in most cases they operate within guidelines devised by the independent Sentencing Council, who in turn are guided by the statutory framework debated and established by parliament. Politicians determine the maximum sentences available for the most serious crimes, from which all other sentencing guidelines flow. For three decades, there has been a constant stream of policy change, most of which has driven up the use of prison. The one sustained attempt to reduce the use of prison immediately following the Woolf Report in 1990 produced the only years in this period when capacity matched demand.



Source: Home Office, Prison statistics 1999; Ministry of Justice, Prison population projections 2008–2015; Ministry of Justice, Story of the Prison Population: 1993–2016 and previous edition

The government has now announced £1.3bn to invest in reforming and modernising the prison estate, committing to build nine new prisons—five of these by 2020. In part, this is designed to deliver a modest revival of a policy intention to reduce—not eliminate—overcrowding. However, prison population projections, published in September 2017, revealed that the population is expected to grow by around 1,600 above previous predictions by 2022. These raise serious doubts about the sustainability of the capacity programme. Without the option of closing older prisons, as now appears inevitable under the current population projections, no funds are released to run the new prisons planned—still less to finance the building and running of new prisons that will be required over and above those committed by the previous government. The doubts are reflected in apparently conflicting public statements:

“I anticipate that we won’t close any prisons this parliament”

Michael Spurr, Prison Governor’s Association Annual Conference, 11 October 2017

“Our first priority is to ensure public protection and provide accommodation for all those sentenced by the courts, but that commitment [to close old Victorian prisons] very much remains.”

Sam Gyimah MP, speaking in parliament, 12 October 2017

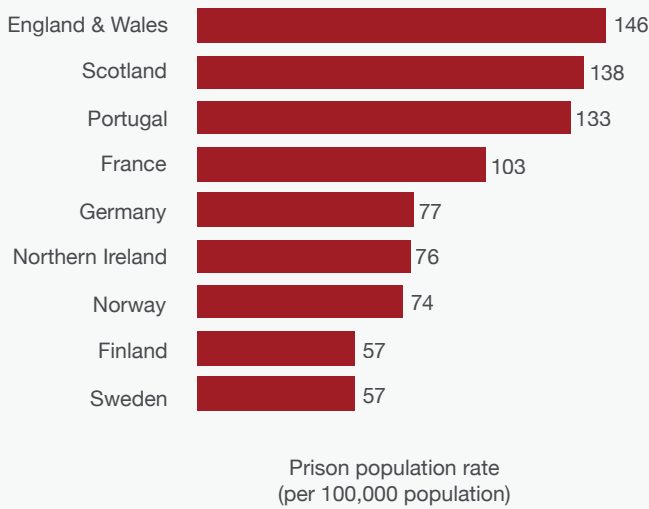
“[T]he surge that we have seen in the prison population over this summer, when it went up slightly above 86,000, against our previous best forecasts, meant that we have had to keep Rochester and Hindley open when we hoped to have closed them as part of the new-for-old policy.”

David Lidington MP, Evidence to the House of Commons Justice Committee, 25 October 2017

If the long view teaches anything, it is surely that the scourge of overcrowding will not be ended by building more prisons.

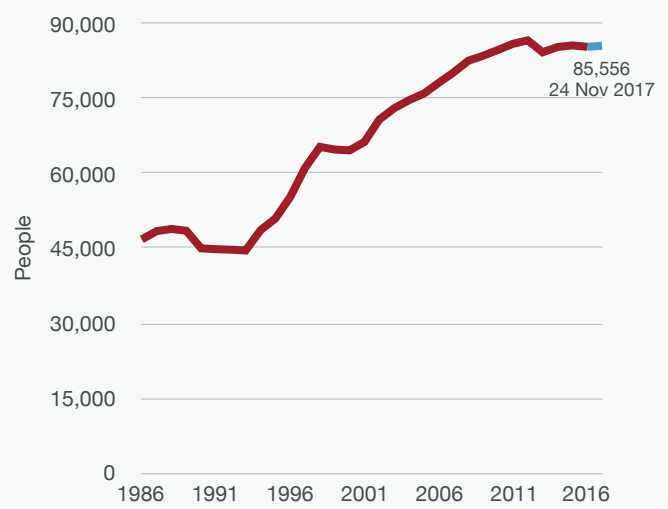
Sentencing and the use of custody

England and Wales has the highest imprisonment rate in western Europe



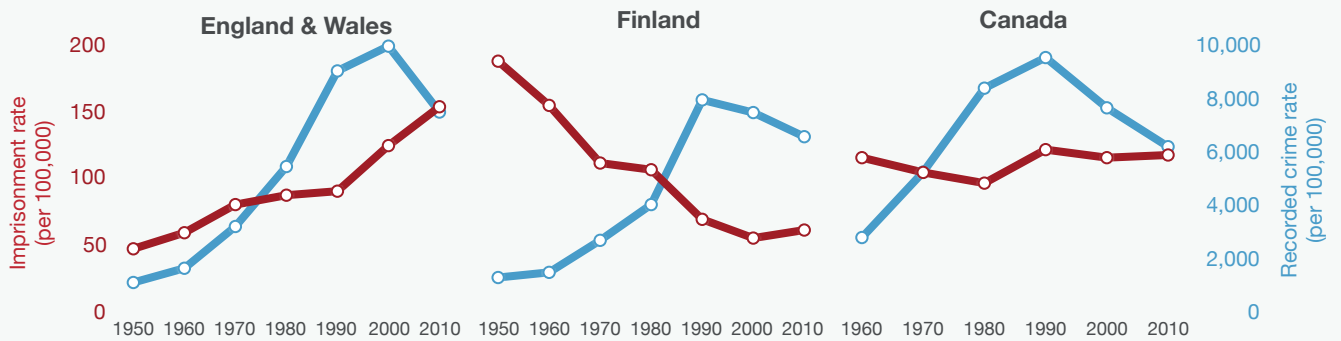
Source: International Centre for Prison Studies

The prison population has risen by 82% in the last 30 years



Source: Offender management statistics and Population and capacity briefing for 24 November 2017

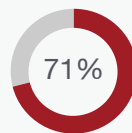
Yet there is no link between the prison population and levels of crime according to the National Audit Office.¹ International comparisons also show there is no consistent link between the two.²



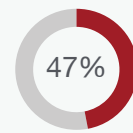
In England and Wales, we overuse prison for petty and persistent crime.³

Around **66,000**

people were sent to prison to serve a sentence in the year to June 2017



The majority had committed a non-violent offence

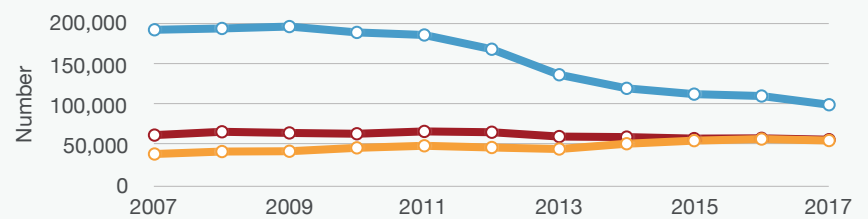
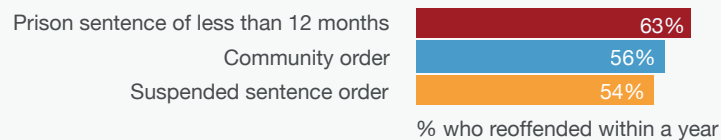


Almost half were sentenced to serve six months or less

Short prison sentences are less effective than community sentences at reducing reoffending.⁴

Yet, the use of community sentences has nearly halved in only a decade.

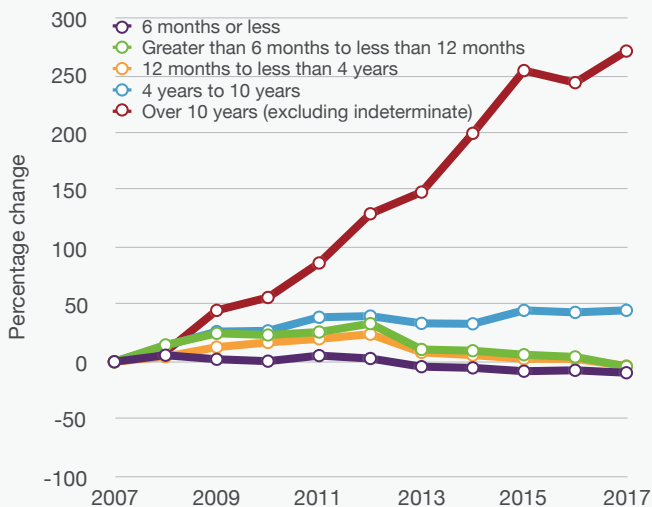
Suspended sentences have risen, but account for only 5% of all sentences.⁵



1 National Audit Office (2012) Comparing International Criminal Justice Systems, London: National Audit Office
 2 Lappi-Seppälä, T (2015) Why some countries cope with lesser use of imprisonment, available at <http://bit.ly/Tapio>; Table 1, Eurostat (2013) Trends in crime and criminal justice, graphs and tables, Trends in crime and criminal justice 2010, Luxembourg: European Commission; Office for National Statistics (2017) UK and regional population estimates 1838 to 2015, Mid-2015 population estimates, London: ONS; Table 8, von Hofer, H., et al. (2012) Nordic Criminal Statistics 1950–2010, Stockholm: Stockholms universitet; and Statistics Canada (2017) 'Canada's crime rate: Two decades of decline', available at <http://www.statcan.gc.ca/pub/11-630-x/11-630-x2015001-eng.htm>
 3 Table 2.4a and 2.4b Ministry of Justice (2017) Offender management statistics quarterly: April to June 2017, London: Ministry of Justice
 4 Ministry of Justice (2013) 2013 Compendium of re-offending statistics and analysis, London: Ministry of Justice
 5 Table Q5.1b and Q5.4, Ministry of Justice (2017) Criminal justice statistics quarterly June 2017, London: Ministry of Justice

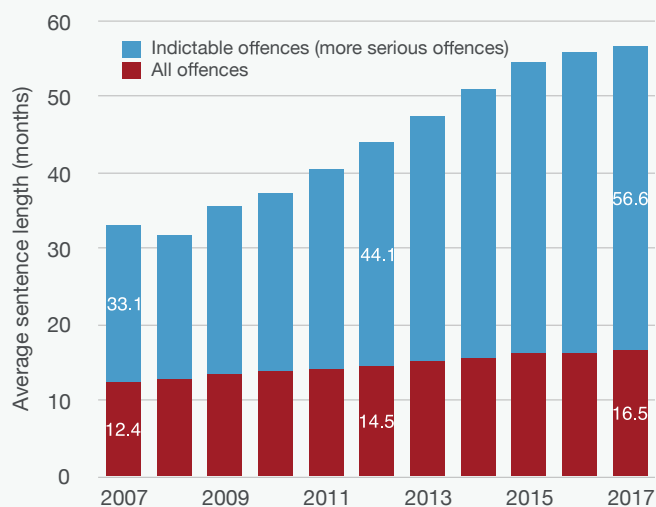
For more serious offences we choose to send people to prison for a long time...and it's growing.

More than three times as many people were sentenced to 10 years or more in the 12 months to June 2017 than at the same time in 2007.⁶



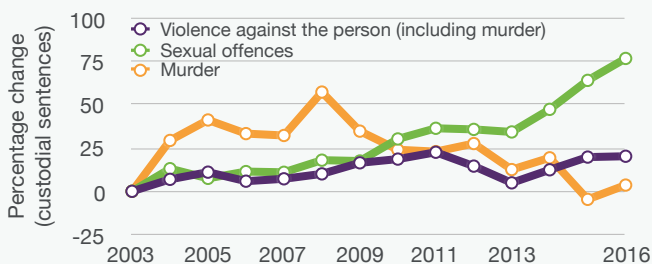
Source: Criminal justice statistics quarterly June 2017

For more serious, indictable offences, the average prison sentence is now 56.6 months—23 and a half months longer than 10 years ago.⁷

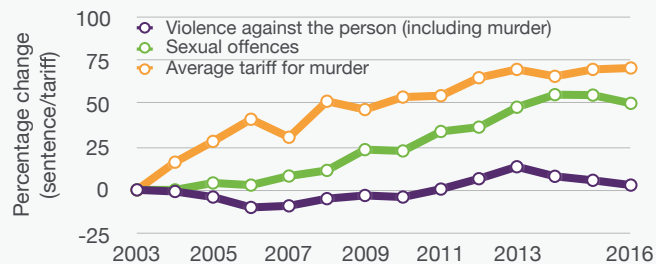


Source: Criminal justice statistics quarterly June 2017

The number of people convicted and sent to prison for committing violent offences has risen since 2003—but it has fluctuated. Convictions for sexual offences have risen sharply.⁸

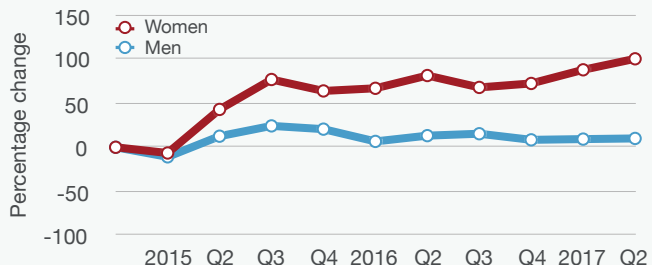


Average sentence lengths, and the minimum period of time people must spend in prison for murder (tariff), have risen markedly.⁹

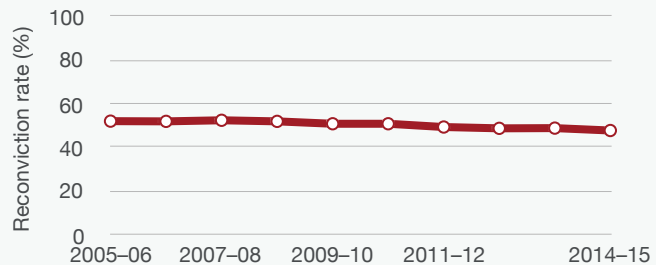


Many are released from prison, only to return there shortly after.

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



Reconviction rates for people on release from prison remain stubbornly high.



As a result, the number of people recalled to custody following their release has increased, particularly amongst women. 8,309 people serving a sentence of less than 12 months have been recalled to prison in the year to June 2017.¹⁰

Prison has a poor record for reducing reoffending—nearly half of adults (49%) are reconvicted within one year of release.¹¹

6 Table Q5.4, Ministry of Justice (2017) Criminal justice statistics quarterly June 2017, London: Ministry of Justice

7 Table Q5.1b, Ibid.

8 Table Q5.2a Ministry of Justice (2017) Criminal justice statistics quarterly: December 2016, London: Ministry of Justice and previous editions

9 Ministry of Justice (2014) Freedom of Information request 89346, London: Ministry of Justice; House of Lords written question HL2315, 6 November 2017; and

Table 5.2c, Ministry of Justice (2017) Criminal justice statistics quarterly: December 2016 and previous editions

10 Table 5.2, Ministry of Justice (2017) Offender management statistics quarterly: April to June 2017, London: Ministry of Justice

11 Table C1a, Ministry of Justice (2017) Proven reoffending statistics: October 2015 to December 2015, London: Ministry of Justice

Safety in prisons

Safety in prisons has deteriorated rapidly during the last six years. People in prison, prisoners and staff, are less safe than they have been at any other point since records began, with more self-harm and assaults than ever before. Despite a welcome decline, the number of self-inflicted deaths remains high.¹²

Inspectors found that safety was not good enough in more than three in five male prisons (62%) they visited last year. Nearly half of men (48%) and over half of women (52%) said they felt unsafe at some point whilst in custody.¹³

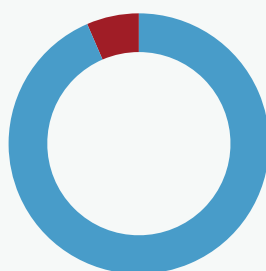
Deaths in prison

300

People died in prison in the year to September 2017



Over a quarter were self-inflicted

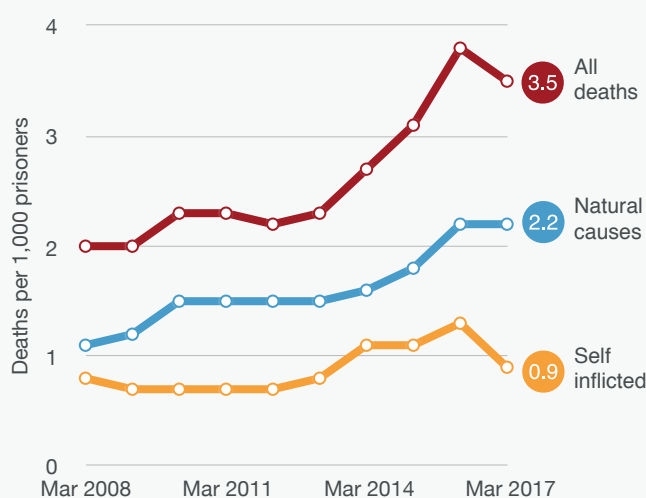


72 were men
5 were women

Source: Safety in custody statistics quarterly update to June 2017

Self-inflicted deaths are 8.6 times more likely in prison than in the general population—the highest level in at least six years.¹⁴

Rates of death in prison have risen sharply in the last six years—but self-inflicted deaths have begun to fall at last.



Source: Safety in custody statistics quarterly update to June 2017

Rates of deaths from natural causes have more than doubled in the last nine years. 190 people died of natural causes in the year to September 2017.¹⁵

More than quarter (26%) self-inflicted deaths in the last five years occurred in the first 30 days of arrival in prison—over half (53%) of these deaths were in the first week.¹⁶

HM Inspectorate of Prisons found that one-third of the prisons inspected in 2016–17 had not implemented recommendations by the Prisons and Probation Ombudsman (PPO) well enough following a self-inflicted death.¹⁷

PPO investigations of deaths in segregation units often found that staff did not always follow, or even know about national instructions, including that prisoners at risk of suicide should only be segregated in exceptional circumstances.¹⁸

There were 79 deaths in prison between the June 2013 and September 2016, where the person was known, or strongly suspected, to have used or possessed new psychoactive substances (NPS) before their death—56 of these were self-inflicted.¹⁹

¹² Ministry of Justice (2017) Safety in custody statistics quarterly update to June 2017, London: Ministry of Justice

¹³ HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

¹⁴ Ministry of Justice (2017) Safety in custody quarterly bulletin: update to September 2016, London: Ministry of Justice

¹⁵ Table 2, Ministry of Justice (2017) Safety in custody statistics quarterly update to June 2017, London: Ministry of Justice

¹⁶ Table 1.7, Ministry of Justice (2017) Safety in custody statistics quarterly update to June 2017, London: Ministry of Justice

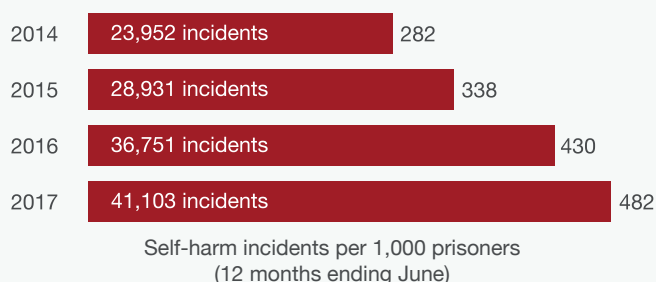
¹⁷ HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

¹⁸ Prisons and Probation Ombudsman (2017) Annual report 2016–17, London: PPO

¹⁹ Newcomen, N. (2017) Prisons and Probation Ombudsman speech to the All Party Parliamentary Group on Penal Affairs, available at <http://bit.ly/PPOspeechtoAPPG>

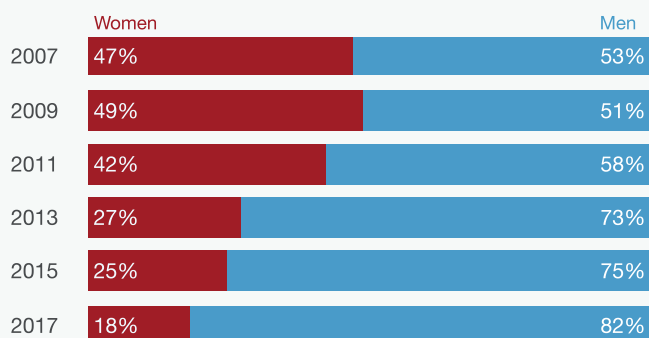
Self-harm

Rates of self-harm are at the highest level ever recorded



Women account for a disproportionate number of self-harm incidents in prison—despite making up only 5% of the total prison population.

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

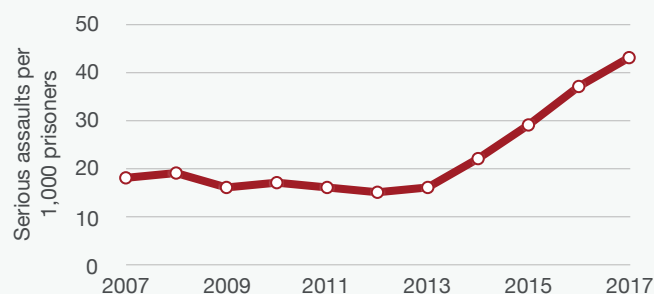


Proportion of all self-harm incidents

Source: Safety in custody statistics quarterly update to June 2017

Assaults

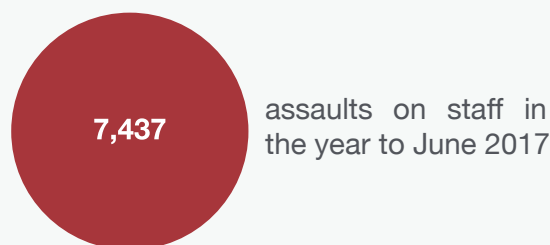
Serious assaults are at the highest level ever recorded



Assaults on staff have

↑ 143%

in only four years



798 were classified as serious

People in around a third of prisons inspected in 2016–17 were negative about the overall care and support they received during their most vulnerable times.²⁰

The number of reported sexual assaults in prison is more than two and a half times higher than 2011. There were 345 recorded assaults in 2016.²¹

The National Tactical Response Group, a specialist unit assisting in safely managing and resolving serious incidents in prisons responded to 386 incidents in the first nine months of 2017. Tornado teams, specialist staff trained to restore order within a prison following a riot, responded to 20 incidents over the same period.²²

Emergency services were called out more than 26,600 times to incidents in UK prisons in 2015.²³

There were 2,579 fires in prison in 2016—an average of 215 a month.²⁴

20 HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

21 Table 3.9, Ministry of Justice (2017) Safety in custody statistics quarterly update to June 2017, London: Ministry of Justice

22 House of Lords written question HL2169, 1 November 2017

23 Titheradge, N. (2016) BBC News, 'Emergency services called out to prison incidents 'every 20 minutes'', available at <http://www.bbc.co.uk/news/uk-36259747>

24 House of Commons written question 59711, 9 March 2017

Treatment and conditions

More than two-fifths (42%) of our prisons are rated “of concern” or “of serious concern” by HM Prisons and Probation Service—the highest level ever recorded.²⁵

There are now more prisons rated “of serious concern” than “exceptional”. The number of prisons rated “exceptional” has plummeted from 43 in 2011–12 to only nine in 2016–17.²⁶

Only two in five men said that they had been given information explaining what would happen to them when they first arrived in prison.²⁷

Three-quarters (74%) of people told inspectors that most staff treated them with respect. However, significantly reduced staffing in most prisons mean that many prisoners report felt unsupported and frustrated at not being able to get day-to-day concerns addressed.²⁸

Only one in seven people said they spent 10 hours or more out of their cell each day.²⁹

Nearly one in three people (31%) held in a local prison said they spent less than two hours out of their cell each day.³⁰ People are sent to a local prison when they are first remanded or sentenced to custody and when they are approaching release.

Inspectors found that in most prisons, people are only able to spend 30 minutes outside a day. This means that men often have to choose whether to go outside or undertake other essential activities, such as taking showers or telephoning home.³¹

Inspectors also found that many prisons operated temporary restricted regimes to cope with staffing shortages, with prisoners locked up for the night at 6pm or earlier.³²

The daily prison food budget within public sector prisons for 2015–16 was £2.02 per person.³³

One in twenty people in prison are on the basic level of the incentives and earned privileges (IEP) scheme. The number of people on basic has increased by nearly 50% in two years—yet the prison population has risen by less than 1% during the same period.³⁴

Only two in five prisoners surveyed said that the IEP scheme had encouraged them to change their behaviour.³⁵ Prisons are required to provide “access to the safe, legal and decent requirement of a regime on normal location.” However, inspectors have consistently found that the treatment of people on the basic regime is overly-punitive, including being held in conditions like segregation units, but without the same safeguards.³⁶

Segregation

Inspectors found that regimes were inadequate in two-thirds of segregation units inspected in 2015–16—most people were locked up for more than 22 hours a day with nothing meaningful to occupy them. Access to showers and telephone calls was minimal and sometimes restricted further as a punishment for minor rule breaking.³⁷

Research on segregation has established that it is harmful to health and wellbeing. Over half of segregated prisoners interviewed said they had problems with three or more of the following: anger, anxiety, insomnia, depression, difficulty in concentration, and self-harm.³⁸

²⁵ National Offender Management Service (2017) Prison annual performance ratings 2016 to 2017, London: Ministry of Justice and previous editions

²⁶ Ibid.

²⁷ HM Inspectorate of Prisons (2016) Life in prison: The first 24 hours in prison, London: HMIP

²⁸ HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

²⁹ Ibid.

³⁰ Ibid.

³¹ Ibid.

³² Ibid.

³³ Hansard HL, 30 November 2016, HL3277

³⁴ Tables 8.2 and 8.1, Ministry of Justice (2017) Annual National Offender Management Service digest: 2016 to 2017, London: Ministry of Justice

³⁵ HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

³⁶ National Offender Management Service (2015) Incentives and earned privileges PSI 30/2013, London: Ministry of Justice; HM Chief Inspector of Prisons (2016) Annual Report 2015–16, London: The Stationery Office and HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

³⁷ HM Chief Inspector of Prisons (2016) Annual Report 2015–16, London: The Stationery Office

³⁸ Shalev, S and Edgar, K (2016) Deep Custody: Segregation units and close supervision centres in England and Wales, London: Prison Reform Trust

During the first three months of 2014 almost one in ten people in segregation units had spent longer than 84 days there. One in five had spent between 14 and 42 days; and 71% had been segregated for less than 14 days.³⁹

Nearly two-fifths, 19 out of a total of 50 people, had deliberately engineered a move to the segregation unit. Reasons included trying to transfer to a different prison, evading a debt, or getting away from drugs or violence on the wings.⁴⁰

If a person has a request or concern they can raise it through the application process. It is a means of dealing with routine issues before they escalate into formal complaints. However, inspectors found that the applications process continued to be poor—only half (52%) of prisoners felt that their applications were dealt with fairly.⁴¹

Resolving disputes

If a person is not happy with the outcome of their application they can make an internal complaint. However, just over half (54%) said that it was easy to make a complaint and only 28% felt their complaints were dealt with fairly.⁴²

The Prisons and Probation Ombudsman provides the last means of redress in the formal complaints process.

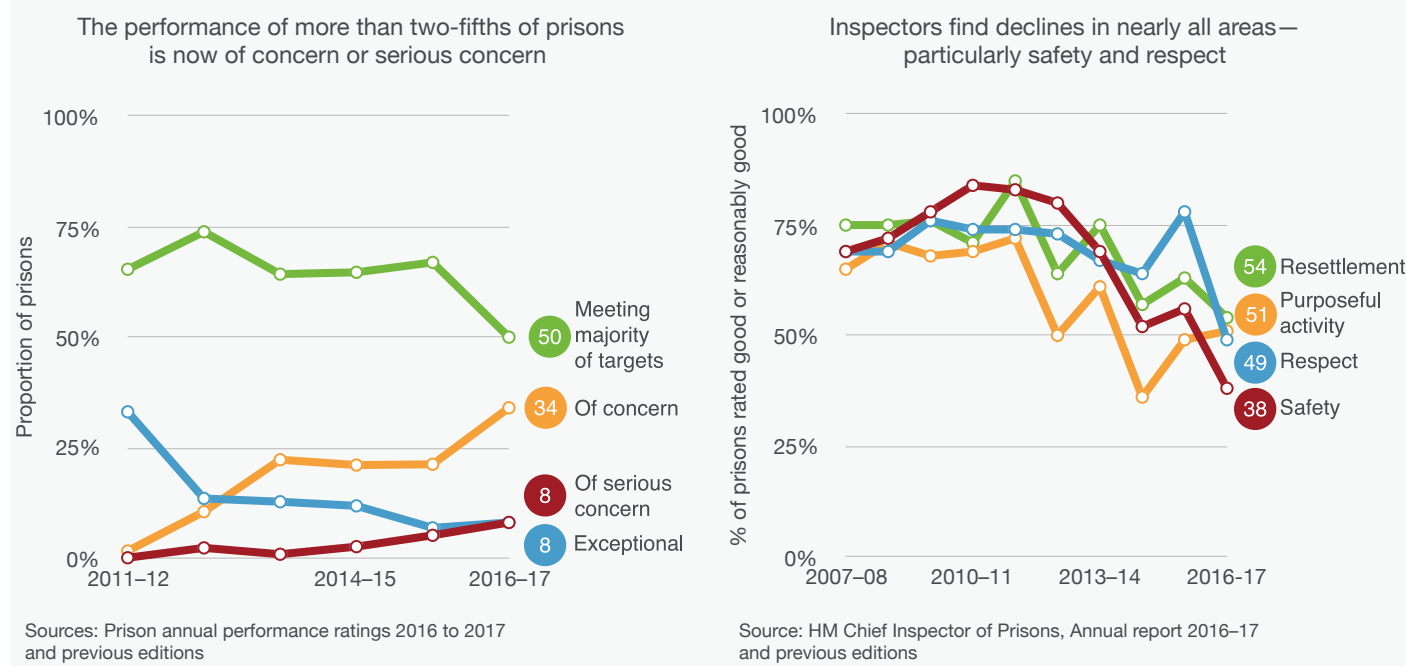
The number of complaints upheld by the Prisons and Probation Ombudsman has been rising. Less than a quarter (23%) of complaints were upheld in 2011–12, compared to nearly two in five (39%) last year.⁴³

The Ombudsman reported that this “reflects prison staff making more mistakes, not learning lessons from...previous investigations and...not resolving issues at a local level”.⁴⁴

Complaints from high security prisons accounted for 29% of completed investigations, despite high security prisoners making up only 7% of the male prison population.⁴⁵

Only one in 100 prisoners who made an allegation of discrimination against prison staff had their case upheld by the prison. By contrast, three in four staff (76%) reports of alleged discrimination by a prisoner were upheld.⁴⁶

Prison standards—the new normal?



39 Ibid.
 40 Ibid.
 41 HM Chief Inspector of Prisons (2016) Annual Report 2015–16, London: The Stationery Office
 42 HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office
 43 Prisons and Probation Ombudsman (2017) Annual report 2016–17, London: PPO
 44 Ibid.
 45 Ibid.
 46 Edgar, K. and Tsintsadze, K. (2017) Takling discrimination in prisons: still not a fair response, London: Prison Reform Trust

Overcrowding and changes to the prison estate

Prison overcrowding is defined by the prison service as a prison containing more prisoners than the establishment's Certified Normal Accommodation (CNA). CNA represents “the good, decent standard of accommodation that the [prison] service aspires to provide all prisoners.”⁴⁷

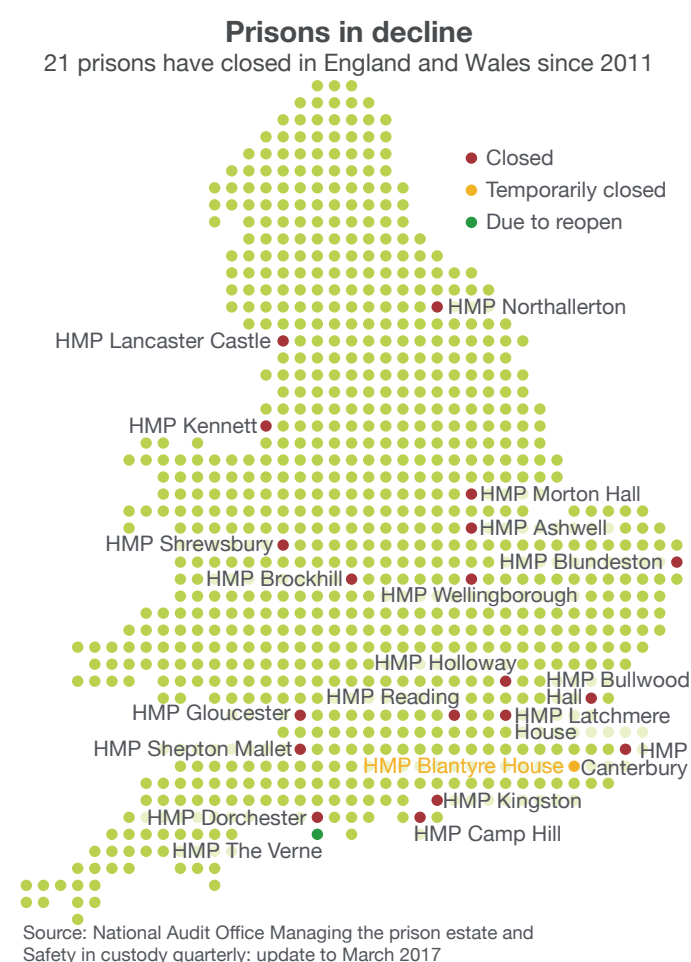
The prison system as a whole has been overcrowded in every year since 1994.⁴⁸ Overcrowding affects whether activities, staff and other resources are available to reduce risk of reoffending, as well as distance from families and other support networks.⁴⁹

In 2016–17, two-thirds of prisons in England and Wales were overcrowded (79 of the 119 prisons). Nearly 21,000 people were held in overcrowded accommodation—almost a quarter of the prison population. The majority were doubling up in cells designed for one.⁵⁰

This level of overcrowding has remained broadly unchanged for the last 14 years.⁵¹

Overcrowding remains a significant issue in most prisons according to inspectors.⁵² Particularly in local and category C training prisons, where most people are held.⁵³

£1.3bn has been announced to invest in reforming and modernising the prison estate. The government has committed to build nine new prisons, five of these by 2020.⁵⁴



HMP Berwyn, a 2,106 place prison in Wrexham, North Wales and opened in February 2017⁵⁵ at a cost of £212m.⁵⁶

Plans were announced for four more new prisons. Sites have been identified at Port Talbot and adjacent to HMP Full Sutton.⁵⁷ The two remaining sites at HMP and YOI Rochester; and HMP and YOI Hindley have been halted because a sharp rise in the prison population this year has made it impossible to close the existing prison while a new one is built.⁵⁸

Planning permission has been granted for the former site of HMP Wellingborough, and an application has been submitted to redevelop the site at HMP and YOI Glen Parva.⁵⁹

There are also plans to build five community prisons for women. Each will have 60 beds.⁶⁰

Because nothing has been done to reduce the number of women sentenced to custody, inspectors have found that the closure of HMP Holloway has resulted in more crowding in the remaining women's prisons and more women are now being held further away from friends and family.⁶¹

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

48 Home Office (1999) Digest 4: Information on the criminal justice system in England and Wales, London: Home Office and Table 2.2, Ministry of Justice (2017) Annual National Offender Management Service digest: 2016 to 2017, London: Ministry of Justice

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

50 Tables 2.2, 2.3 and 2.4, Ministry of Justice (2017) Annual National Offender Management Service digest: 2016 to 2017, London: Ministry of Justice

51 Table 2.2, Ibid.

52 HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

53 Table 2.5, Ministry of Justice (2017) Annual National Offender Management Service digest: 2016 to 2017, London: Ministry of Justice

54 HM Treasury (2015) Spending review and autumn statement 2015, London: HM Stationery Office

55 National Offender Management Service (2017) NOMS Annual Report and Accounts 2016–2017, London: HM Stationery Office

56 HM Treasury (2015) Spending review and autumn statement 2015, London: HM Stationery Office

57 National Offender Management Service (2017) NOMS Annual Report and Accounts 2016–2017, London: HM Stationery Office

58 House of Commons Justice Committee (2017) Oral evidence: The work of the Ministry of Justice, 25 October 2017, London: HM Stationery Office

59 National Offender Management Service (2017) NOMS Annual Report and Accounts 2016–2017, London: HM Stationery Office

60 Ibid.

61 HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

Prison service resources and staffing

Resources

HM Prisons and Probation Service (HMPPS), formerly the National Offender Management Service (NOMS) reduced its budget by nearly a quarter between 2010–11 and 2014–15.⁶²

Spending has begun to increase. Total expenditure in 2016–17 was £3,723m—£206m more than the year before.⁶³

Additional funding of up to £500m has been committed by the government in order to finance its safety and reform programme between 2017–18 and 2019–20.⁶⁴

The cost of a prison place reduced by nearly a quarter (23%) between 2009–10 and 2016–17. The average annual overall cost of a prison place in England and Wales is now £38,042.⁶⁵

Staffing

Following significant cuts since 2010 there are fewer staff looking after more people in prison. The number of frontline operational staff employed in the public prison estate has fallen by nearly a quarter (23%) in the last seven years—5,620 fewer staff looking after more than 800 additional people.⁶⁶

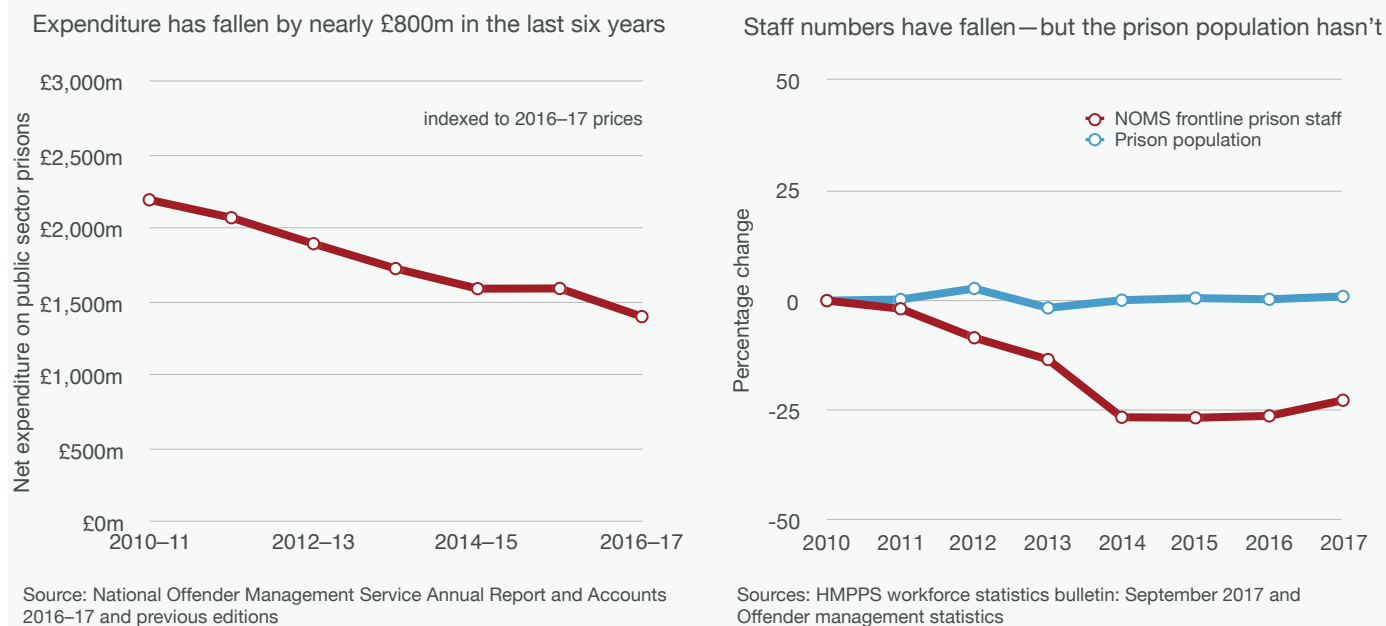
The government is attempting to boost officer numbers. £100m has been committed to recruit a further 2,500 officers by December 2018.⁶⁷ In the last year the number of prison officers has increased by 1,207.⁶⁸

But retention remains a problem—with nearly a third of officers (31%) who left the service last year having stayed in the role for less than two years.⁶⁹

Staff shortages have required the use of detached duty. In the year to August 2017, 117 officers were deployed to prisons on average to ensure that there was a safe number of staff.⁷⁰

The reduction in staff numbers “has been detrimental to security, stability and good order in prisons” according to Ministry of Justice Permanent Secretary, Richard Heaton.⁷¹

Public sector prisons



⁶² National Offender Management Service (2016) Annual Report and Accounts 2015/16, London: The Stationery Office

⁶³ National Offender Management Service (2017) Annual Report and Accounts 2016/17, London: The Stationery Office and Ibid.

⁶⁴ HM Treasury (2016) Spending review and autumn statement 2016, London: HM Stationery Office

⁶⁵ Table 1, Ministry of Justice (2017) Costs per prison place and cost per prisoner by individual prison establishment 2016 to 2017 tables, London: Ministry of Justice; Table 42, Ministry of Justice (2011) National Offender Management Service Annual Report 2009/10: Management Information Addendum, London: Ministry of Justice; and HM Treasury (2017) GDP deflators at market prices, and money GDP September 2017 (Quarterly National Accounts, September 2017), London: HM Treasury

⁶⁶ Ministry of Justice (2017) HM Prisons and Probation Service workforce statistics: September 2017, London: Ministry of Justice and Table 1.1a, Ministry of Justice (2010) Offender management statistics quarterly bulletin April to June 2010, London: Ministry of Justice and Table 1.1, Ministry of Justice (2017) Offender management statistics quarterly: April to June 2017, London: Ministry of Justice

⁶⁷ House of Lords written question HL1680, 18 October 2017

⁶⁸ Table 3, Ministry of Justice (2017) HM Prisons and Probation Service workforce statistics: September 2017, London: Ministry of Justice

⁶⁹ Table 10, Ibid.

⁷⁰ House of Commons written question 9372, 12 September 2017

⁷¹ House of Commons Public Accounts Committee. (2017) Mental health in prisons, Oral evidence session: 23 October, London: The Stationery Office

Private prisons

In England and Wales there were 16,469 people (19% of the prisoner population) held in private prisons as at 27 October 2017.⁷²

There are a total of 14 private prisons in England and Wales—they are contracted to three companies.⁷³

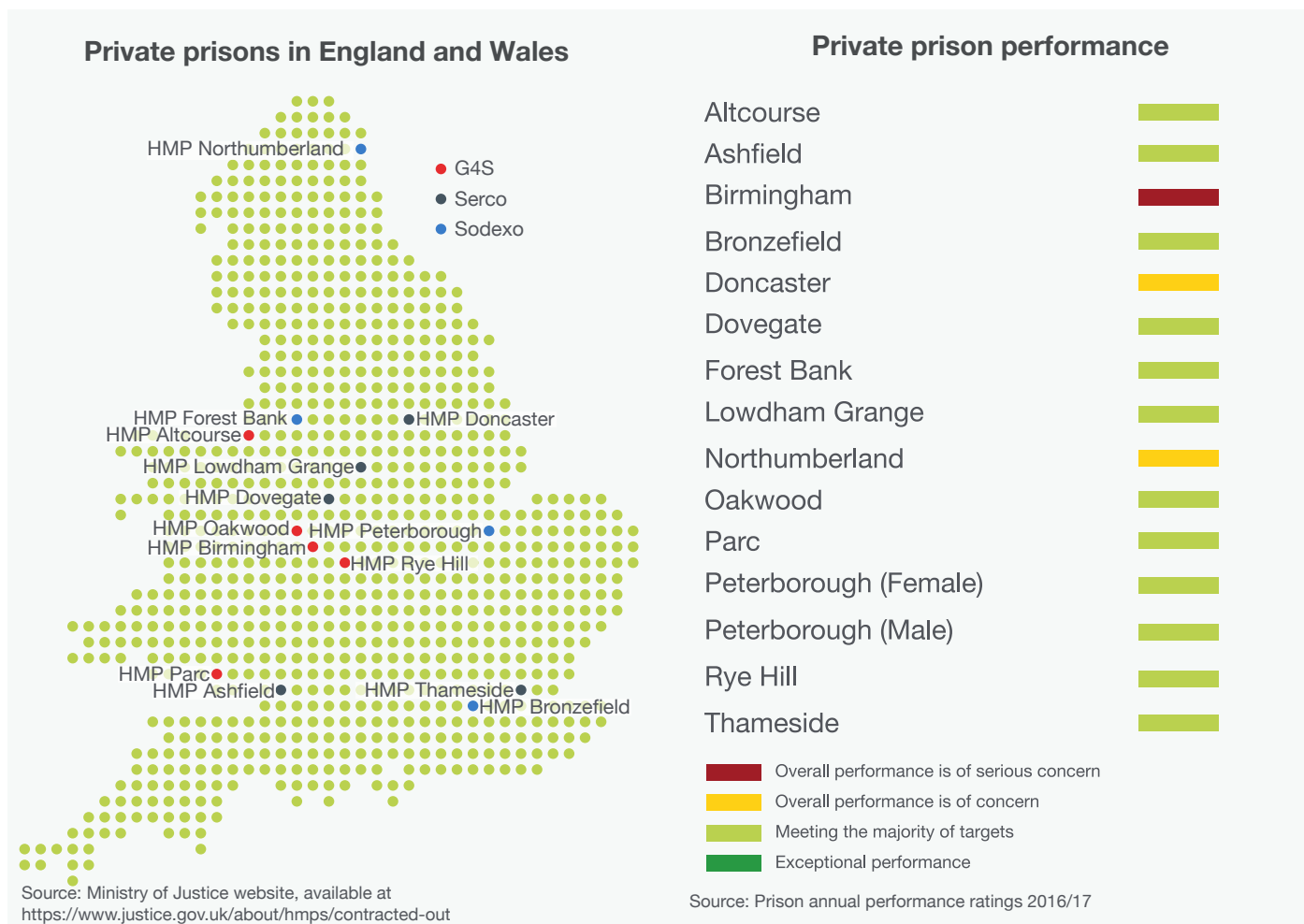
10 of these are currently financed, designed, built and operated by the private sector on contracts of 25 years or more. Contracts for Doncaster, Birmingham, Oakwood and Northumberland are for 15 years each.⁷⁴

In 2016–17 the overall cost of private prisons was £529.8m—a real terms increase of nearly £10m on the year before.⁷⁵

A total of £2.7m was levied from eight private prisons for breach of contract between 2010 and 2015—there were 100 separate instances of breach.⁷⁶

Five year contracts totalling nearly £470m have been awarded to Carillion and Amey to provide works and facilities management services in public prisons.⁷⁷ However, the prison service has admitted that the contract is underfunded, as costs were not clearly understood, and so won't achieve the promised £115m efficiency savings.⁷⁸

Concerns have also been raised about ongoing performance issues by Carillion—with long delays for necessary repairs, and failures to conduct legally required fire and legionella tests.⁷⁹



72 Ministry of Justice (2017) Prison population monthly bulletin October 2017, London: Ministry of Justice

73 National Offender Management Service (2015) Prison and probation performance statistics 2014 to 2015, Management information addendum dataset, London: Ministry of Justice

74 Hansard HC, 4 December 2013, c719W

75 Table 2b, Ministry of Justice (2017) Costs per place and costs per prisoner by individual prison: HM Prison & Probation Service Annual Report and Accounts 2016-17 Management Information Addendum, London: Ministry of Justice

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

76 Mason, R (2016) The Guardian, 'G4S fined 100 times since 2010 for breaching prison contracts', available at

<https://www.theguardian.com/society/2016/apr/15/g4s-fined-100-times-since-2010-prison-contracts>

77 Gov.uk Contract finder website, accessed on 16 September 2015, available at <https://www.contractsfinder.service.gov.uk/Search>

78 National Offender Management Service (2017) Annual report and accounts 2016–17, London: Ministry of Justice and House of Commons written statement HCWS5, 18 November 2014

79 Ford, R. (2017) The Times, 'We got our figures wrong, admit prison bosses in £115m bungle', available at <https://www.thetimes.co.uk/article/we-got-our-figures-wrong-admit-prison-bosses-in-115m-bungle-2g3f9cdf8>

PEOPLE IN PRISON

Social characteristics of adult prisoners

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

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

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

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

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

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

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

General population data taken from:

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

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

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

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

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

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

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

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

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

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

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

People on remand

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

People remanded to custody to await trial are innocent until proven guilty. There were 33,817 receptions into prison before trial in the year to June 2017.⁸⁰

More than half (56%) of those entering prison on remand awaiting trial are accused of non-violent offences—16% were for theft offences, and 11% for drug offences.⁸¹

People may also be remanded to custody after they have been found guilty, but are yet to be sentenced. 20,598 people were remanded into prison awaiting sentence in the year to June 2017.⁸²

People on remand currently make up 12% of the total prison population—9,902 people. The majority are awaiting trial (70%), whilst the rest await sentencing.⁸³

More than one in ten people (9,765) remanded in custody during the year to June 2017 were subsequently acquitted. A further 14% of people (12,593) received a non-custodial sentence.⁸⁴

Remand prisoners receive no financial help from the prison service at the point of release. Those acquitted receive no compensation.

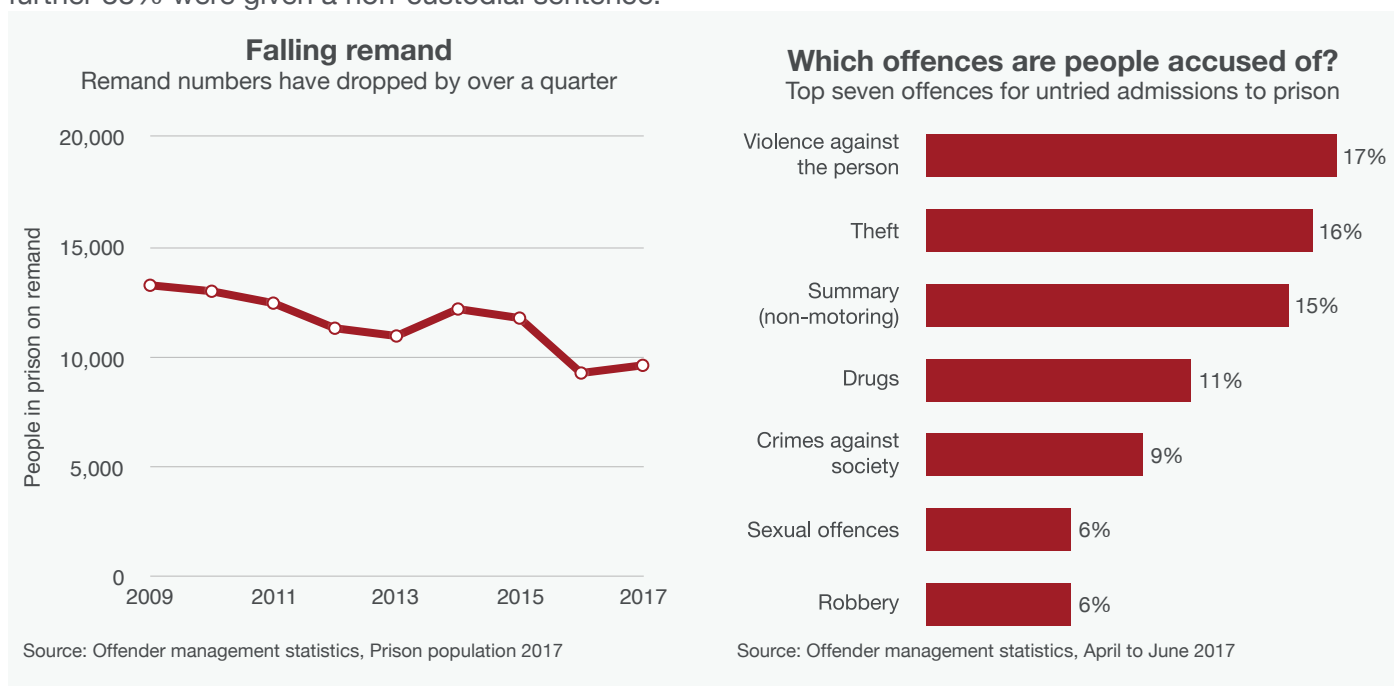
Nearly three in 10 (28%) self-inflicted deaths in 2016 were by people held on remand.⁸⁵

Children on remand

Use of remand for children has plummeted in the last eight years—the average number of children on remand is 67% lower than its peak in 2007.⁸⁶

On average 211 children were in held in prison on remand in 2016. They account for nearly one in five children in prison (22%)—this has remained roughly the same over the last decade.⁸⁷

Over a quarter (27%) of children remanded into custody were subsequently acquitted in 2016—a further 38% were given a non-custodial sentence.⁸⁸



80 Table 2.3a, Ministry of Justice (2017) Offender management statistics quarterly: April to June 2017, London: Ministry of Justice

81 Table 2.3b, Ibid.

82 Table 2.3a, Ibid.

83 Table 1.1, Ibid.

84 Table Q4.4, Ministry of Justice (2017) Criminal justice statistics quarterly: June 2017, London: Ministry of Justice

85 Table 1.8, Ministry of Justice (2017) Safety in custody statistics quarterly update to June 2017, London: Ministry of Justice

86 Table 6.2, Ministry of Justice (2017) Youth justice statistics 2015/16, London: Ministry of Justice

87 Ibid.

88 Table 6.5a, Ibid.

Black, Asian and minority ethnic people in prison

26% of the prison population, 22,683 people, are from a minority ethnic group.⁸⁹

If our prison population reflected the make-up of England and Wales, we would have over 9,000 fewer people in prison—the equivalent of 12 average-sized prisons.⁹⁰

The economic cost of black, Asian and minority ethnic (BAME) overrepresentation in our prison system is estimated to be £234 million a year.⁹¹

Analysis conducted for the Lammy Review found a clear direct association between ethnic group and the odds of receiving a custodial sentence. With black people 53%, Asian 55%, and other ethnic groups 81% more likely to be sent to prison for an indictable offence at the Crown Court, even when factoring in higher not-guilty plea rates.⁹²

Black men are 26% more likely than white men to be remanded in custody. They are also nearly 60% more likely to plead not guilty.⁹³

Muslim prisoners

The number of Muslim prisoners has more than doubled over the past 15 years. In 2002 there were 5,502 Muslims in prison, by 2017 this had risen to 13,185.⁹⁴ They now account for 15% of the prison population but just 5% of the general population.⁹⁵

Muslims in prison are far from being a homogeneous group. Some were born into Muslim families, and others have converted. 40% are Asian, 29% are black, 16% are white and 9% are mixed.⁹⁶

Only one per cent of Muslims in prison are currently there for terrorism related offences.⁹⁷

Despite this they make up half of all people held in close supervision centres (CSCs)—25 of 50 people. CSCs are designed to manage highly disruptive and high risk prisoners who have demonstrated violent and/or highly disruptive behaviour.⁹⁸

Treatment and conditions

BAME people in prison often report more negatively about their experience in prison and relationships with staff. Fewer said they felt safe at the time of the inspectorate's survey; fewer had a member of staff they could turn to for help, fewer said staff treated them with respect, and more said they had been victimised by staff. Responses by Muslim prisoners in these areas were even worse.⁹⁹

They also report reduced access to opportunities and interventions that support rehabilitation. Fewer said they had a prison job, were taking part in offender behaviour programmes or spending ten hours outside of their cell on weekdays.¹⁰⁰

A disproportionate number of black people in prison are held in segregation, and held there for long periods. Between January to March 2014 they accounted for 15.5% of people in segregation and 18.5% of those segregated for longer than 85 days, but only 12.6% of the prison population.¹⁰¹

BAME men are more likely to be placed in high security prisons than white men who have committed similar types of offences. The discrepancy was highest for public order offences, with black men just over 4 times more likely and Asian men more than 6 times more likely than white men to be held in a high security prison.¹⁰²

⁸⁹ Table 1.4, Ministry of Justice (2017) Offender management statistics quarterly: April to June 2017, London: Ministry of Justice

⁹⁰ Table 11, Kneen, H. (2017) An exploratory estimate of the economic cost of Black, Asian and Minority Ethnic net overrepresentation in the Criminal Justice System in 2015, London: Ministry of Justice and Lammy, D. (2017) The Lammy Review, London: Ministry of Justice

⁹¹ Kneen, H. (2017) An exploratory estimate of the economic cost of Black, Asian and Minority Ethnic net overrepresentation in the Criminal Justice System in 2015, London: Ministry of Justice

⁹² Hopkins, K., et al. (2016) Associations between ethnic background and being sentenced to prison in the Crown Court in England and Wales in 2015, London: Ministry of Justice

⁹³ Table 5.3, Uhrig, N. (2016) Black, Asian and minority ethnic disproportionality in the criminal justice system in England and Wales, London: Ministry of Justice

⁹⁴ Table A1.10, Ministry of Justice (2017) Offender management statistics prison population 2017, London: Ministry of Justice

⁹⁵ Lammy, D. (2017) The Lammy Review, London: Ministry of Justice

⁹⁶ House of Lords written question HL3275, 5 January 2017

⁹⁷ Table P04, Home Office (2017) Operation of police powers under the Terrorism Act 2000: quarterly update to June 2017, London: Home Office and Table A1.10, Ministry of Justice (2017)

Offender management statistics prison population 2017, London: Ministry of Justice

⁹⁸ Shalev, S. and Edgar, K. (2015) Deep custody: Segregation units and close supervision centres in England and Wales, London: Prison Reform Trust

⁹⁹ HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

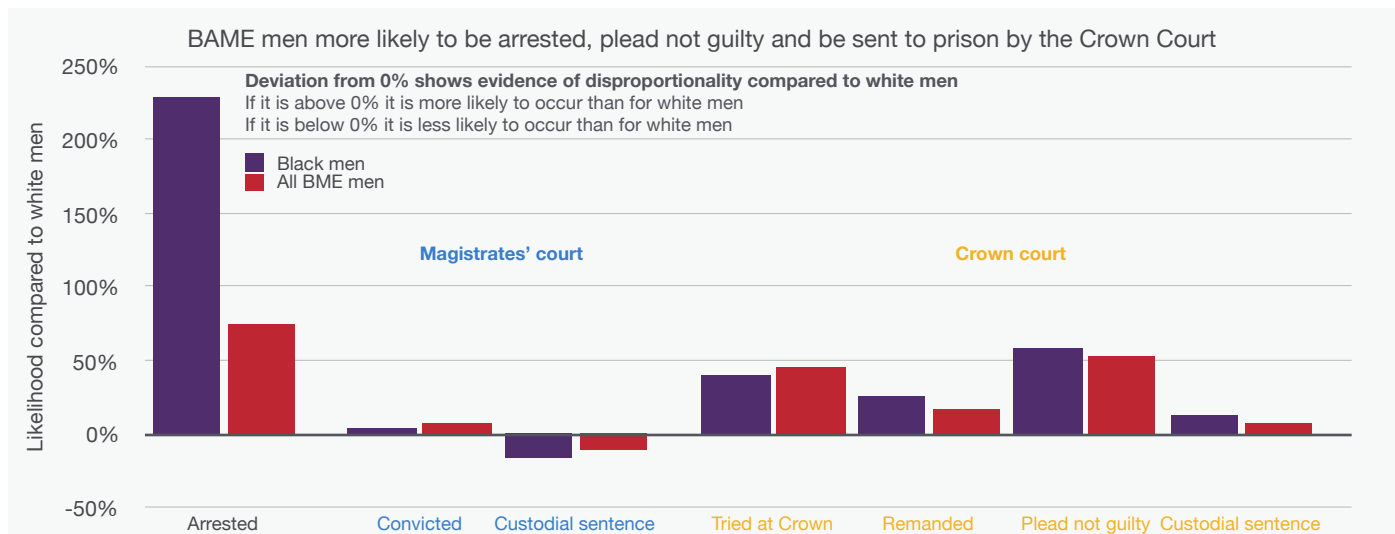
¹⁰⁰ Ibid.

¹⁰¹ Shalev, S. and Edgar, K. (2015) Deep custody: Segregation units and close supervision centres in England and Wales, London: Prison Reform Trust and data provided by NOMS

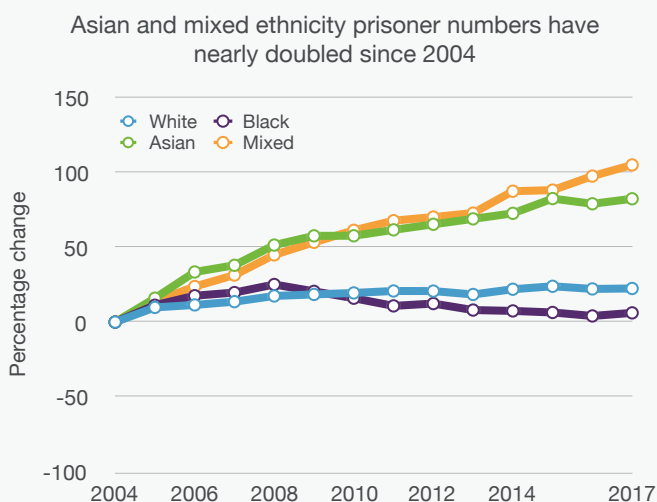
¹⁰² Table 5.4, Uhrig, N. (2016) Black, Asian and minority ethnic disproportionality in the criminal justice system in England and Wales, London: Ministry of Justice

Gypsy, Roma and Traveller prisoners

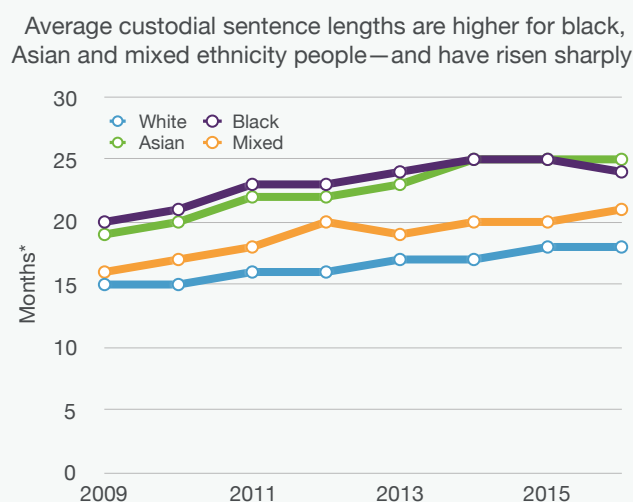
5% of prisoners say they are Gypsy, Romany or Traveller, compared to an estimated 0.1% of the general population in England.¹⁰³ However, “there is evidence of a possible reluctance by many prisoners to identify themselves as such.”¹⁰⁴



Source: Ministry of Justice (2016) Black, Asian and minority ethnic disproportionality in the criminal justice system in England and Wales

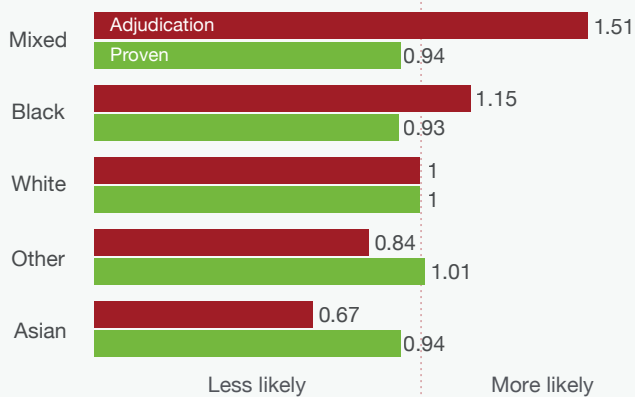


Source: Offender management statistics, Prison population 2017



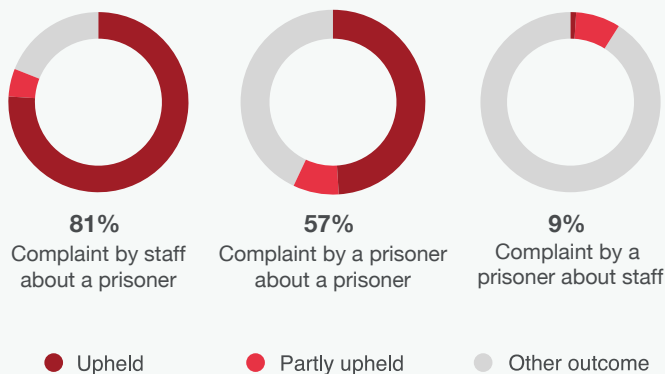
Source: Criminal justice statistics quarterly December 2016, Sentencing data tool
 *data only available for indictable and triable either way offences

Black and mixed ethnicity prisoners are more likely to get an adjudication—but less likely for it to be proven



Source: Ministry of Justice (2016), Black, Asian and minority ethnic disproportionality in the criminal justice system in England and Wales

Discrimination complaints about staff are significantly less likely to be upheld or partly upheld



Source: Prison Reform Trust (2017) Tackling discrimination in prison (Based on 610 investigations from eight London prisons in 2014)

103 HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office and Irish Traveller Movement in Britain (2013) Gypsy and Traveller population in England and the 2011 Census, London: ITMB and Office for National Statistics (2013) Annual Mid-year Population Estimates, 2011 and 2012, London: ONS

104 Department for Communities and Local Government (2012), Progress report by the ministerial working group on tackling inequalities experienced by Gypsies and Travellers, London: CLG

Older people in prison

Older prisoners can be split into four main profiles, each with different needs:

Repeat prisoners. People in and out of prison for less serious offences and have returned to prison at an older age.

Grown old in prison. People sentenced for a long sentence prior to the age of 50 and have grown old in prison.

Short-term, first-time prisoners. People sentenced to prison for the first time for a short sentence.

Long-term, first-time prisoners. People sentenced to prison for the first time for a long sentence, possibly for historic sexual or violent offences.

Many experience chronic health problems prior to or during imprisonment as a result of poverty, poor diet, inadequate access to healthcare, alcoholism, smoking and other substance abuse. The psychological strains of prison life can further accelerate the ageing process.

The Prison Reform Trust, along with HM Chief Inspector of Prisons, the Prisons and Probation Ombudsman, Age UK and other organisations has called for a national strategy for work with older people in prison¹⁰⁵, something the Justice Committee agreed with and has stated: “It is inconsistent for the Ministry of Justice to recognise both the growth in the older prisoner population and the severity of their needs and not to articulate a strategy to properly account for this.”¹⁰⁶

The Care Act means that local authorities now have a duty to assess and give care and support to people who meet the threshold for care and are in prisons and probation hostels in their area.

With prison sentences getting longer, people are growing old behind bars. People aged 60 and over are the fastest growing age group in the prison estate. There are now more than triple the number there were 15 years ago.¹⁰⁷

16% of the prison population are aged 50 or over – 13,601 people. Of these 3,251 are in their 60s and a further 1,601 people are 70 or older.¹⁰⁸

The number of over 50s in prison is projected to rise to 14,800 by 2021 – an increase of 11%. The most significant change is anticipated in the over 70s, projected to rise by 31%.¹⁰⁹

45% of men in prison aged over 50 have been convicted of sex offences. The next highest offence category is violence against the person (23%) followed by drug offences (9%).¹¹⁰

234 people in prison were aged 80 or over as of 31 December 2016. 219 were in their 80s, 14 were in their 90s, and 1 was over 100 years old – 87% were in prison for sexual offences.¹¹¹

The majority of 80 year olds in prison (92%) were aged 70 or older when sentenced to custody.¹¹²

Three in 10 people serving an indeterminate sentence are aged 50 or over. 2,326 people were serving life sentences and a further 803 were serving an Indeterminate Sentence for Public Protection (IPP).¹¹³

¹⁰⁵ Prison Reform Trust and Restore Support Network (2016) Social care or systematic neglect: Older people on release from prison, London: Prison Reform Trust and Prisons and Probation Ombudsman (2017) Learning lessons from PPO investigations: Older prisoners, London: Prisons and Probation Ombudsman

¹⁰⁶ House of Commons Justice Committee (2013) Older Prisoners, London: HM Stationery Office.

¹⁰⁷ Table A1.7, Ministry of Justice (2017) Offender management statistics prison population 2017, London: Ministry of Justice

¹⁰⁸ Table 1.3, Ministry of Justice (2017) Offender management statistics quarterly: April to June 2017, London: Ministry of Justice

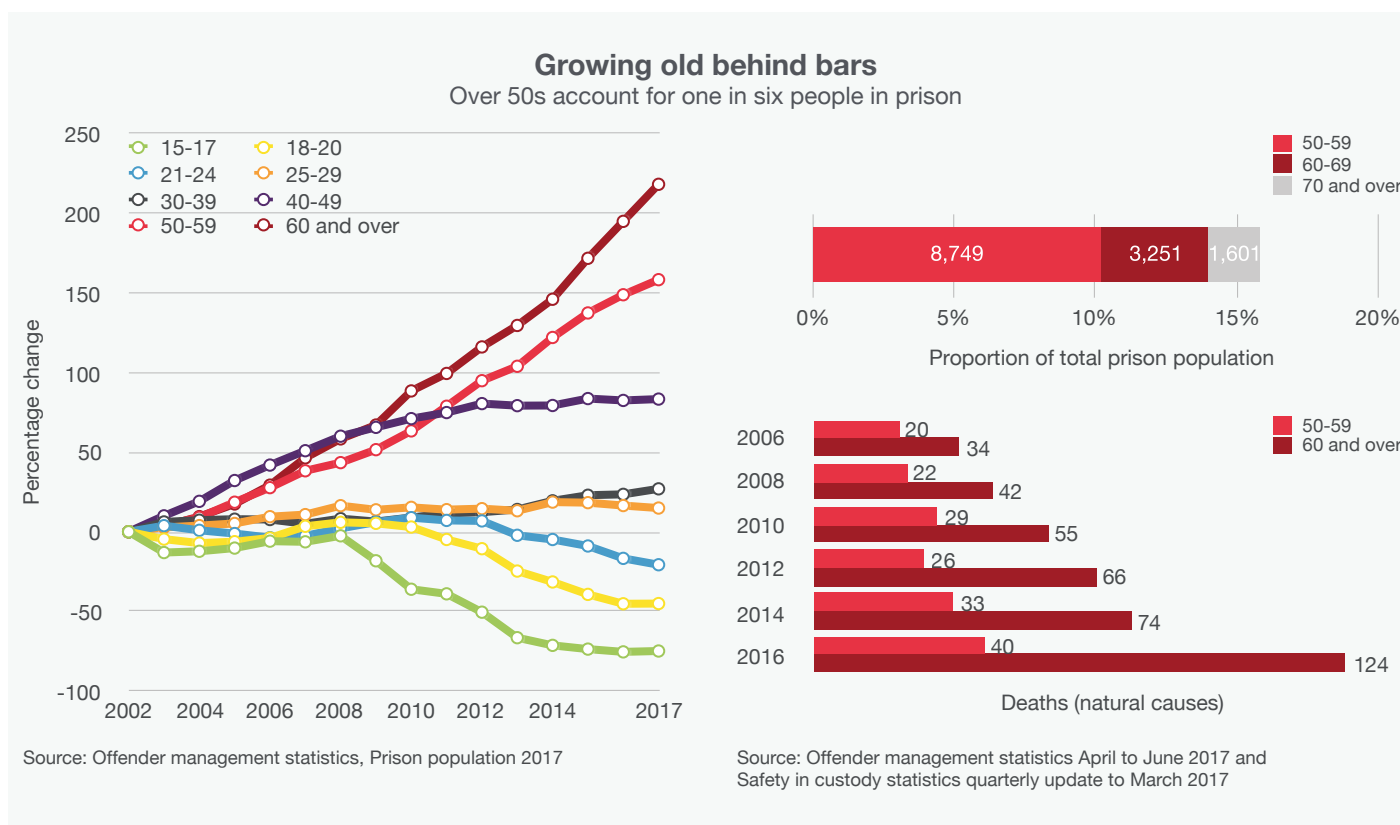
¹⁰⁹ Table 4.1, Ministry of Justice (2017) Prison population projections 2017 to 2022, London: Ministry of Justice

¹¹⁰ House of Lords written question HL3278, 5 January 2017

¹¹¹ Table 1, Ministry of Justice (2017) Further breakdown of the prison population by age and offence group as at 31 December 2016, London: Ministry of Justice

¹¹² House of Lords written question HL2097, 27 October 2017

¹¹³ Table A1.16, Ministry of Justice (2017) Offender management statistics prison population 2017, London: Ministry of Justice



Treatment and conditions

64 people aged 50 or over died of natural causes whilst in prison in 2016—more than triple the number a decade ago.¹¹⁴

Six out of 10 older prisoners (59%) report having a long-standing illness or disability. This compares with just over a quarter (27%) of younger prisoners.¹¹⁵

People aged 50 or older are more likely to say they had been victimised because of their disability, medication, age or the nature of their offence. However they are more positive than younger people about most aspects of prison life.¹¹⁶

Older prisoners interviewed on entering prison for the first time often suffered from ‘entry shock’. This was made worse by a lack of information and an unfamiliarity with prison regimes and expectations. Delays in accessing health care and receiving medication were a particular cause of concern.¹¹⁷

Resettlement

A National Institute for Health Research study found that release planning for older prisoners was frequently non-existent. The lack of information received by prisoners in preparation for their release caused high levels of anxiety. Many reported minimal or no contact from probation workers or offender managers.¹¹⁸

Three out of a total of five prisons surveyed said that their health care centre helped older people to register with a GP as part of their resettlement support. However, 13 out of a total of 14 former prisoners surveyed said they had no referral to a local GP. Despite the small size of the sample, the study suggests that many older people are being released without the continuity of medical care they require.¹¹⁹

114 Table 1.3, Ministry of Justice (2017) Safety in custody statistics quarterly update to June 2017, London: Ministry of Justice

115 Omolade, S. (2014) The needs and characteristics of older prisoners: Results from the Surveying Prisoner Crime Reduction (SPCR) survey, London: Ministry of Justice

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

117 Senior, J., et al (2013) Health and social care services for older male adults in prison: the identification of current service provision and piloting of an assessment and care planning model, London: The Stationery Office

118 Senior, J., et al (2013) Health and social care services for older male adults in prison: the identification of current service provision and piloting of an assessment and care planning model, London: The Stationery Office

119 Prison Reform Trust and Restore Support Network (2016) Social care or systematic neglect: Older people on release from prison, London: Prison Reform Trust

Life and indeterminate sentences

Many people in prison don't know if, or when, they might be released. 10,378 people are currently in prison serving an indeterminate sentence—accounting for 14% of the sentenced prison population, up from 9% in 1993.¹²⁰

England and Wales have more than twice as many people serving indeterminate sentences than France, Germany and Italy combined—the highest in Europe by a significant margin.¹²¹

They must serve a minimum period in prison, set by the courts, before they can be considered for release by the Parole Board. They are subject to monitoring and restrictions on release, and continue to serve their sentence for the rest of their lives. They can be returned to custody if they break these terms.

Indeterminate Sentence for Public Protection (IPP)

Despite its abolition in 2012, over four-fifths (86%) of people in prison currently serving an IPP sentence are still there despite having passed their tariff expiry date—the minimum period they must spend in custody and considered necessary to serve as punishment for the offence.¹²²

16% of people currently serving an IPP have a tariff of less than two years, and 41% have a tariff of between two and four years.¹²³

513 people are still in prison despite being given a tariff of less than two years—over half of these (277 people) have served eight years or more beyond their original tariff.¹²⁴

The Parole Board predicts that, without legislation, there will still be 1,500 people in prison serving an IPP by 2020.¹²⁵

Last year the Parole Board ordered the release of 905 people on IPPs, including the re-release of 249 people recalled back to custody. However, in the same period 481 people on IPPs were recalled.¹²⁶

Around 60% of those reviewed by the Parole Board at an oral hearing following a recall were re-released.¹²⁷

Life sentences

7,216 people are currently in prison serving a life sentence. Over half (52%) had a tariff of 10–20 years, nearly a quarter (23%) had over 20 years and a similar proportion (22%) had 10 years or less.¹²⁸

Around three in 10 people (29%) currently in prison on a life sentence have already served their minimum tariff.¹²⁹

People serving mandatory life sentences are spending more of their sentence in prison. On average they spend 16 years in custody, up from 13 years in 2001.¹³⁰

Judges are also imposing longer tariff periods.¹³¹ The average minimum term imposed for murder rose from 12.5 years in 2003 to 21.3 years in 2016.¹³²

There are currently 59 people serving a whole life sentence—they are unlikely to ever be released.¹³³

The vast majority of life sentenced prisoners are successfully integrated back into the community on release. 4.3% of those sentenced to a mandatory life sentence were reconvicted of any criminal offence within a year, compared to 48.3% of the overall prison population.¹³⁴

¹²⁰ Table 1.1, Ministry of Justice (2017) Offender management statistics quarterly: April to June 2017, London: Ministry of Justice and Ministry of Justice (2013) Story of the prison population: 1993–2012 England and Wales, London: Ministry of Justice

¹²¹ Table 7, Aebi, M., et al. (2017) Council of Europe Annual Penal Statistics, Survey 2015, Strasbourg: Council of Europe and Council of Europe Annual Penal Statistics, Survey 2014

¹²² Table 1.9a, Ministry of Justice (2017) Offender management statistics quarterly: April to June 2017, London: Ministry of Justice

¹²³ Ibid.

¹²⁴ Table 1.9b, Ibid.

¹²⁵ Jones, M. (2016) Written advice to Nick Hardwick, London: Parole Board. Available at <http://bit.ly/IPPAdvice>

¹²⁶ Jones, M. (2017) 'IPPs, recalls and the future of parole' available at <http://www.russellwebster.com/martin-jones2/>

¹²⁷ Ibid.

¹²⁸ Table 1.9a, Ministry of Justice (2017) Offender management statistics quarterly: April to June 2017, London: Ministry of Justice

¹²⁹ Ibid.

¹³⁰ Table A3.3, Ministry of Justice (2017) Offender management statistics prison releases 2016, London: Ministry of Justice and Table A3.5, Ministry of Justice (2011) Offender management statistics annual tables 2010, London: Ministry of Justice

¹³¹ Criminal Justice Joint Inspection (2013) A joint inspection of life sentenced prisoners, London: HM Inspectorate of Probation

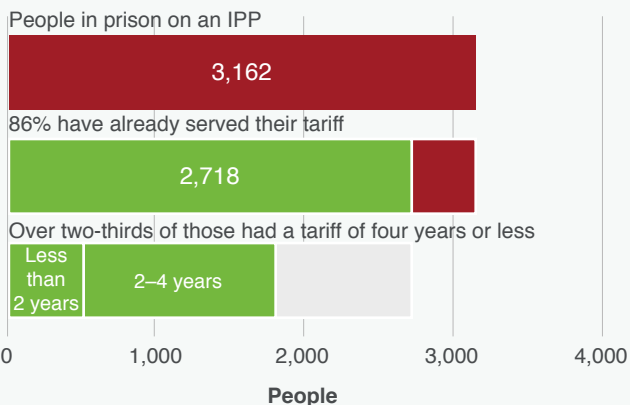
¹³² Ministry of Justice (2014) Freedom of Information request 89346, London: Ministry of Justice and House of Lords written question HL2315, 6 November 2017

¹³³ Table 1.9a, Ministry of Justice (2017) Offender management statistics quarterly: April to June 2017, London: Ministry of Justice

¹³⁴ Table C2a, Ministry of Justice (2017) Proven reoffending statistics: October 2015 to December 2015, London: Ministry of Justice

The legacy of the IPP

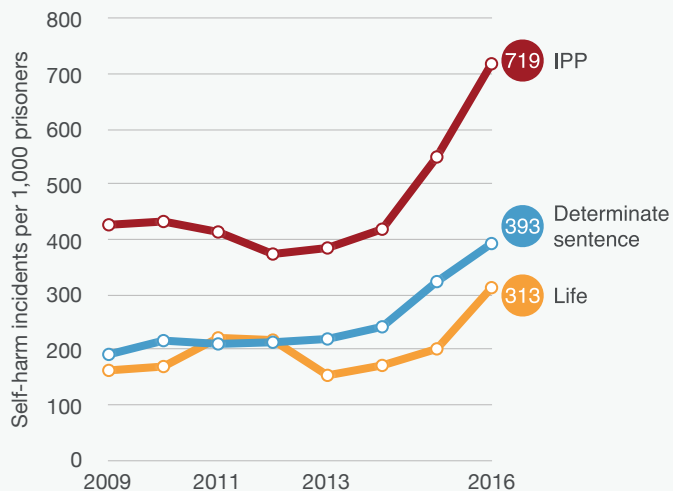
More than four-fifths are stuck in prison beyond tariff



Source: Offender management statistics quarterly: April to June 2017

Risk of harm?

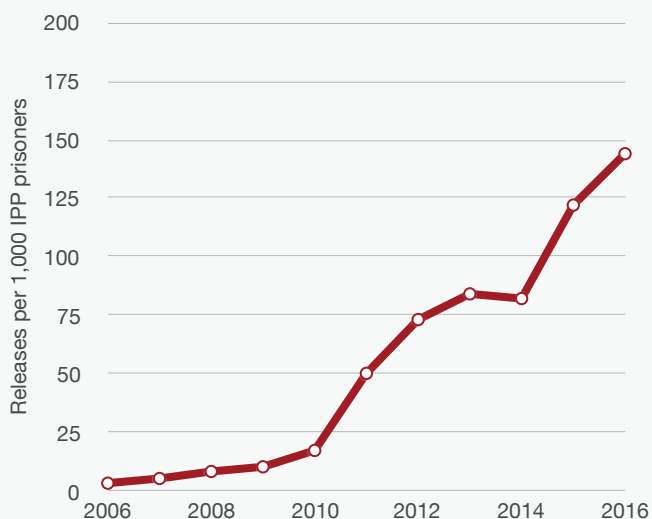
IPP prisoners are more likely to self-harm



Source: Safety in custody statistics quarterly update to June 2017 and Offender management statistics prison population 2017

Successful release

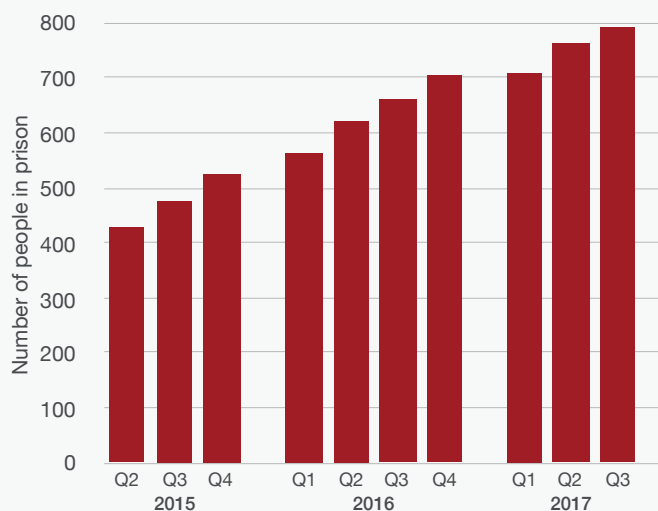
Release rates for IPPs have risen sharply in the last two years



Source: Offender management statistics prison releases 2016 and Offender management statistics prison population 2017

But success is short lived for some

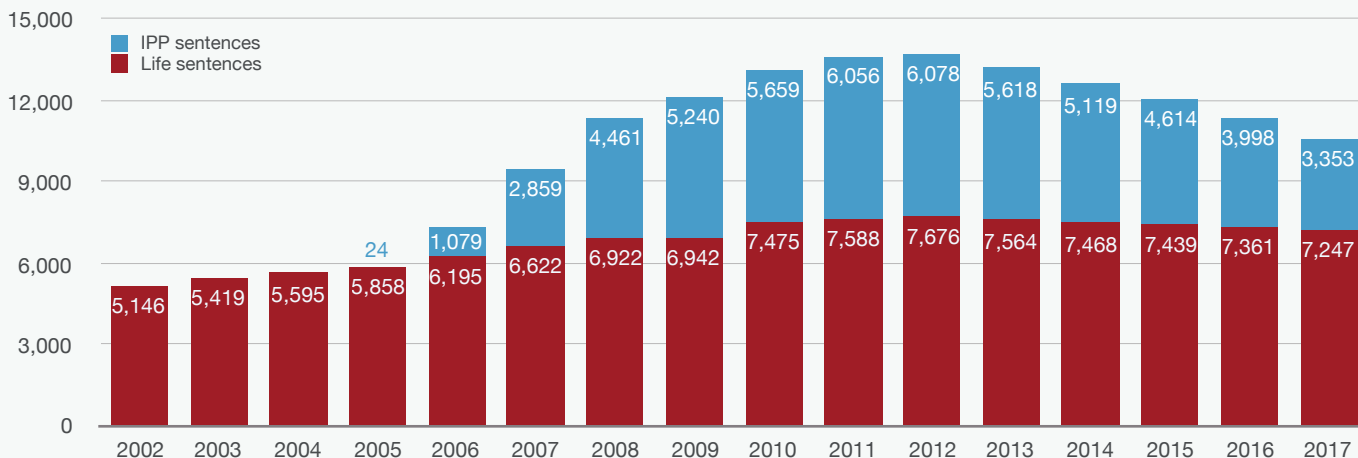
Growing numbers people on IPPs are ending up back in prison



Source: Offender management statistics quarterly: April to June 2017 and previous editions

The growth of indeterminate sentences

Use of indeterminate sentences has risen dramatically in the last decade—but is slowly starting to fall



Source: Offender management statistics prison population 2017 and previous editions

People with learning disabilities and difficulties

People with learning disabilities or difficulties are discriminated against personally, systemically and routinely as they enter and travel through the criminal justice system. They are frequently excluded from elements of the prison regime including opportunities to address their offending behaviour.¹³⁵

Following a review by Lord Bradley of people with mental health and learning disabilities in the criminal justice system, and his subsequent report (The Bradley Report, 2009), the government invested in liaison and diversion services in police custody suites and the criminal courts. Liaison and diversion services help to identify people with mental health and learning disabilities, autism and other needs as early as possible as they enter the criminal justice system. Information from liaison and diversion services helps to inform criminal justice decision making and referrals into local services, as appropriate, including diversion away from the criminal justice system.

A joint inspection of the treatment of offenders with learning disabilities, published in 2015, found that improvements to services for this group have been limited and slow to implement; there was evidence that many prisons and probation trusts were either unaware of or unwilling to implement National Offender Management Service instructions and the Equality Act 2010, with probation and prison leaders often unclear of their statutory duty to make reasonable adjustments to services for people with a disability.

The Care Act 2014 places a duty on local authorities to assess the social care needs of prisoners and people living in probation hostels and, where eligible needs are identified, to ensure the necessary care and support is provided. Inspectors found that most prisons worked effectively with their local authorities and care providers to deliver social care.¹³⁶

Nearly three in 10 people (29%) were identified as having a learning disability or difficulty following assessment on entry to prison in 2015–16.¹³⁷

7% of people in contact with the criminal justice system have a learning disability—this compares with around 2% of the general population.¹³⁸

Despite isolated good practice, for example at HMPs Parc and Littlehey, inspectors found that there has been a lack of focus and leadership from central government which has meant that little discernible progress has been made in improving the lives of this vulnerable group of offenders.¹³⁹

Inspectors have found that “little thought was given to the need to adapt regimes to meet the needs of prisoners with learning disabilities who may find understanding and following prison routines very difficult.”¹⁴⁰

However, more than half of prisons inspected this year were actively identifying and supporting prisoners with learning disabilities—a marked improvement on previous years.¹⁴¹

Prisoners with learning disabilities or difficulties are more likely than other prisoners to have broken a prison rule; they are five times as likely to have been subject to control and restraint, and around three times as likely to report having spent time in segregation.¹⁴²

Prisoners with learning disabilities or difficulties were almost three times as likely as other prisoners to have clinically significant anxiety or depression—many were both anxious and depressed.¹⁴³

Over half of prison staff believe that prisoners with learning disabilities or difficulties are more likely to be victimised and bullied than other prisoners.¹⁴⁴ Over half of such prisoners say they had been scared while in prison and almost half say they have been bullied or that people have been nasty to them.¹⁴⁵

¹³⁵ Talbot, J. (2008) Prisoners' Voices: Experiences of the criminal justice system by prisoners with learning disabilities and difficulties, London: Prison Reform Trust

¹³⁶ HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

¹³⁷ Skills Funding Agency (2017) OLASS English and maths assessments by ethnicity and learners with learning difficulties or disabilities: participation 2014/15 to 2015/16, London: SFA

¹³⁸ NHS England (2016) Strategic direction for health services in the justice system: 2016–2020, London: NHS England

¹³⁹ Criminal Justice Joint Inspection (2015) A joint inspection of the treatment of offenders with learning disabilities within the criminal justice system—phase two in custody and the community, London: HM Inspectorate of Prisons

¹⁴⁰ Ibid.

¹⁴¹ HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

¹⁴² Talbot, J. (2008) Prisoners' Voices: Experiences of the criminal justice system by prisoners with learning disabilities and difficulties, London: Prison Reform Trust

¹⁴³ Ibid.

¹⁴⁴ 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

¹⁴⁵ Talbot, J. (2008) Prisoners' Voices: Experiences of the criminal justice system by prisoners with learning disabilities and difficulties, London: Prison Reform Trust

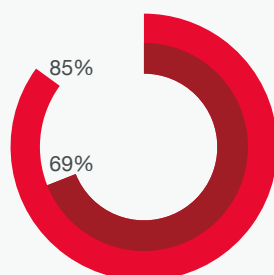
Learning disabilities and difficulties in prisons

Struggling to understand and be understood

● Learning disabilities and difficulties

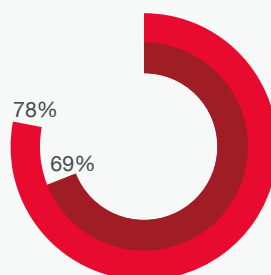
● Learning disabilities

Problems reading prison information



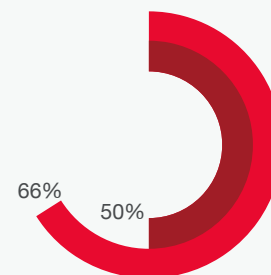
More than **four-fifths** of people in prison with learning disabilities struggle

Problems filling in prison forms



More than **three-quarters** of people in prison with learning disabilities struggle

Problems making themselves understood



Two-thirds of people in prison with learning disabilities struggle

Source: Prison Reform Trust, Prisoners' Voices: Experiences of the criminal justice system by prisoners with learning disabilities and difficulties

The government has invested £75m in liaison and diversion services in police custody suites and the criminal courts.¹⁴⁶

There is 68% population coverage of liaison and diversion services across England, which will rise to 82% by April 2018—full roll out of services should be achieved by 2020–21.¹⁴⁷

People referred to liaison and diversion services valued their support. They provided reassurance during a distressing time, giving practical support for referrals into local services as well as advocacy.¹⁴⁸

There was also a small but significant increase in the number and proportion of adults offered appointments with learning disability services and support for financial need.¹⁴⁹

An independent review found that “significant progress has been made towards achieving the vision laid out in The Bradley Report. The Crisis Care Concordat, the National Liaison and Diversion Development Programme...and Street Triage pilots are considerable achievements”.¹⁵⁰

However, it repeated Lord Bradley’s call for mental health and learning disability awareness training for all frontline criminal justice and health staff, which should be regularly updated.¹⁵¹

To ensure the government’s proposals for a national roll-out of liaison and diversion services across England are fully implemented, the Prison Reform Trust and the National Federation of Women’s Institutes formed the Care not Custody coalition. The coalition comprises 37 allied professional groups and charities representing almost two million people across the health, social care and justice sectors and wider civic society.

In 2013 the Welsh Government published policy implementation guidance for Criminal Justice Liaison Services in Wales. A survey in 2016 found some local innovative practice but that understanding of the service, availability of provision and collaboration varied across Wales. Service improvements will be taken forward as part of the Welsh Government’s delivery plan for Together for Mental Health.¹⁵²

¹⁴⁶ Department of Health website, accessed on 6 December 2017, available at <https://www.gov.uk/government/news/extra-funding-for-mental-health-nurses-to-be-based-at-police-stations-and-courts-across-the-country>

¹⁴⁷ Ibid. and House of Commons written question 108451, 25 October 2017

¹⁴⁸ Disley, E., et al. (2016) Evaluation of the offender liaison and diversion trial schemes, Cambridge: RAND

¹⁴⁹ Ibid.

¹⁵⁰ Durcan, G., et al. (2014) The Bradley report five years on: an independent review of progress to date and priorities for further development, London: Centre for Mental Health

¹⁵¹ Ibid.

¹⁵² Correspondence between the Prison Reform Trust, Welsh Government, Department of Health and Social Services

Foreign nationals in prison

The term ‘foreign national prisoner’ encompasses many different people. People may have come to the UK as children with parents, or are second generation: often from former colonies, asylum seekers or people who have been given indefinite leave to remain as refugees, European and European Economic Area nationals or Irish nationals, trafficked persons or people who would be persecuted if they returned to their country of origin, people who were entering or leaving the UK, on false documents, and were arrested at port of entry/ exit, those who have entered the UK illegally or were in the UK as students, visitors or workers who have got involved in the criminal justice system.

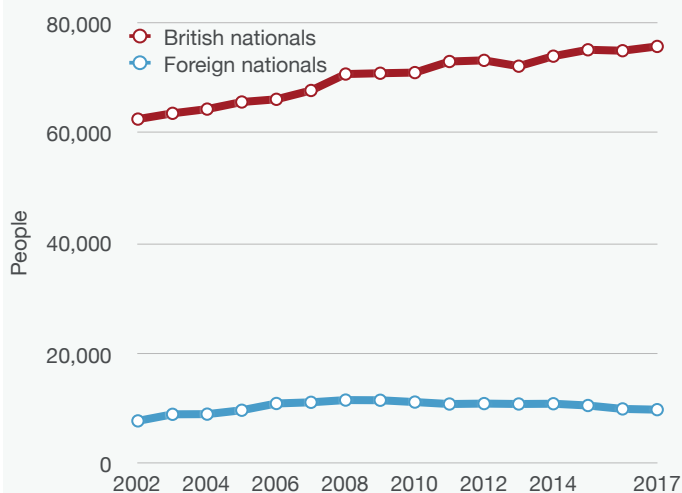
All foreign national prisoners who have been sentenced to a period of imprisonment of 12 months or more are subject to automatic deportation from the UK unless they fall within defined exceptions. People contesting their deportation because they have family in the UK are no longer entitled to legal aid.

The United Kingdom has prisoner transfer arrangements with over 100 countries and territories. The majority of arrangements however are voluntary agreements which require the consent of both states involved, as well as that of the prisoner concerned, before transfer can take place. However transfers within the EU, and to Nigeria and Albania can take place without the consent of the prisoner; the implications of the decision to leave the EU on the transfer agreement are as yet unclear. The government signed a transfer agreement with Jamaica in September 2015 and will provide £25m from the aid budget to help fund the construction of a new 1500-place prison.

People who have served their sentence but are not UK nationals can be held in prison after their sentence has finished, released or moved to an immigration detention centre.

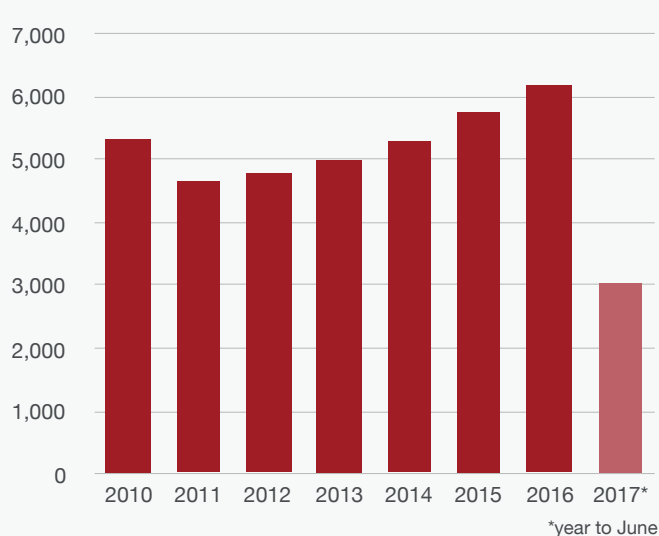
The Legal Aid, Sentencing and Punishment of Offenders Act introduced a new Tariff Expired Removal Scheme (TERS) for indeterminate foreign national prisoners. The scheme allows indeterminate foreign national prisoners, who are confirmed by UK Visas and Immigration to be liable for removal from the UK, to be removed from prison and the country upon, or any date after, the expiry of their tariff without reference to the Parole Board. TERS is mandatory; all indeterminate foreign national prisoners who are liable must be considered for removal under the scheme.

Foreign nationals—a growing problem?
numbers are falling...slowly



Source: Offender management statistics, Prison population 2017 and previous editions

Deportations on the rise
More than 40,000 people deported since 2010



Source: Immigration statistics, April to June 2017

Foreign nationals (non-UK passport holders) currently make up 12% of the prison population in England and Wales. On 30 September 2017 there were 9,946 foreign nationals in prison.¹⁵³

Foreign national prisoners come from 166 countries—but over half are from nine countries (Poland, Ireland, Albania, Romania, Jamaica, Pakistan, Lithuania, India and Somalia).¹⁵⁴

There was a rapid increase in foreign national prisoners between 2002–09. Numbers rose by nearly 50%, compared with a 13% increase in British nationals. Since then, numbers have very steadily fallen.¹⁵⁵

10% of women in prison are foreign nationals.¹⁵⁶ Some are known to have been coerced or trafficked into offending.¹⁵⁷

Three-quarters of foreign nationals entering prison to serve a sentence in 2015 were sent there for non-violent offences.¹⁵⁸

Foreign nationals accounted for nearly 20% of self-inflicted deaths investigated by the Prisons and Probation Ombudsman in 2015–16.¹⁵⁹

Inspectors found that provision for foreign nationals was mixed. There were rarely dedicated officers to assist these prisoners, and it was difficult for many foreign nationals to access immigration-specific legal advice.¹⁶⁰

Removal and deportation

The average number of days taken to remove a foreign national offender is currently 100 days—however many people are detained for considerably longer.¹⁶¹

78 people are still in detention after a year or more, awaiting deportation.¹⁶²

Immigration detainees

360 people were still held in prison at the end of June 2017 under immigration powers, despite having completed their custodial sentence.¹⁶³

Inspectors found men at HMPs Nottingham and Cardiff who had been detained for six months—one man had been held for nine months in HMP Exeter.¹⁶⁴

Unlike those held in prisons, people held in Immigration Removal Centres are entitled access to mobile phones, the internet, legal advice and additional safeguards.¹⁶⁵

The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, has stated that holding immigration detainees in prison is “fundamentally flawed”.¹⁶⁶ A 2013 inspection of HMP Pentonville found that it was not a suitable environment to hold immigration detainees.¹⁶⁷

Over £18m was awarded in compensation for the unlawful detention of foreign nationals between 2011 and 2015.¹⁶⁸

¹⁵³ Table 1.7, Ministry of Justice (2017) Offender management statistics quarterly: April to June 2017, London: Ministry of Justice

¹⁵⁴ Ibid.

¹⁵⁵ Table A1.9, Ministry of Justice (2017) Offender management statistics, Prison population 2017, London: Ministry of Justice.

¹⁵⁶ Table 1.7, Ministry of Justice (2017) Offender management statistics quarterly: April to June 2017, London: Ministry of Justice

¹⁵⁷ Hales, L. and Gelsthorpe, L. (2012) The criminalisation of migrant women, Cambridge: University of Cambridge

¹⁵⁸ House of Commons written question 36554, 11 May 2016

¹⁵⁹ Prisons and Probation Ombudsman (2016) Annual report 2015–16, London: PPO

¹⁶⁰ HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

¹⁶¹ Table FNO_10, Home Office (2017) Immigration Enforcement data: August 2017, London: Home Office

¹⁶² Table FNO_6, Ibid.

¹⁶³ Home Office, Immigration statistics, April to June 2017, available at

<https://www.gov.uk/government/publications/immigration-statistics-april-to-june-2017/summary-of-latest-statistics#how-many-people-are-detained-or-returned>

¹⁶⁴ HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

¹⁶⁵ HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

¹⁶⁶ European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (2013) CPT Standards, Strasbourg: Council of Europe

¹⁶⁷ HM Inspectorate of Prisons (2013) Report on a full unannounced inspection of HMP Pentonville, London: HMIP

¹⁶⁸ House of Commons Home Affairs Committee (2016) The work of the immigration directorates (Q4 2015), London: The Stationery Office

Women in prison

Women are a minority within the criminal justice system, accounting for around 15% of the probation caseload and less than 5% of the prison population. The drivers to their offending differ significantly from men's and they often have more complex needs.

A series of inquiries and reports in recent decades have all concluded that prison is rarely a necessary, appropriate or proportionate response to women who get caught up in the criminal justice system. It is now ten years since the influential Corston Report on women in contact with the criminal justice system.

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

Ministers in England, Wales and Scotland have all recently committed to reducing women's imprisonment. For data on women in Scotland and Northern Ireland please see pages 56 and 59.

Use of custody

The number of women in prison has more than doubled since 1993. There are now around 2,400 more women in prison today than there were in 1993.¹⁶⁹

On 24 November 2017 there were 4,048 women in prison in England and Wales.¹⁷⁰ There were 8,583 receptions of women into prison in the year to June 2017, either on remand or to serve a sentence.¹⁷¹

Yet most women entering prison under sentence (83%) have committed a non-violent offence.¹⁷²

More women were sent to prison in the year to June 2017 to serve a sentence for theft than for violence against the person, robbery, sexual offences, fraud, drugs, and motoring offences combined.¹⁷³

Mental health

Nearly two-thirds of women (65%) reported that they had mental health issues compared with over two-fifths of men (42%).¹⁷⁴

Too many women requiring assessment or treatment in hospital mental health units waited too long to be transferred according to inspectors—up to 12 weeks at HMPs Foston Hall and Bronzefield.¹⁷⁵

Rehabilitation and resettlement

48% of women are reconvicted within one year of leaving prison. This rises to 61% for sentences of less than 12 months and to 78% for women who have served more than 11 previous custodial sentences.¹⁷⁶

The number of women recalled to custody whilst under supervision after their release has doubled since the end of 2014—just before mandatory supervision was introduced for people serving sentences of 12 months or less on release. 1,458 women were recalled in the year to June 2017.¹⁷⁷

Women released from prison are more likely to reoffend, and reoffend sooner, than those serving community sentences.¹⁷⁸

Women are generally more positive than men about opportunities for purposeful activity in prison. They are more likely to report that they have a prison job, are undertaking training or are in education.¹⁷⁹

¹⁶⁹ Table A1.2, Ministry of Justice (2017) Offender management statistics prison population 2017, London: Ministry of Justice and Table 1.1, Ministry of Justice (2017) Offender management statistics quarterly: April to June 2017, London: Ministry of Justice

¹⁷⁰ Ministry of Justice (2017) Population and capacity briefing for Friday 24 November 2017, London: Ministry of Justice

¹⁷¹ Table 2.1, Ministry of Justice (2017) Offender management statistics quarterly: April to June 2017, London: Ministry of Justice

¹⁷² Table 2.4b, *Ibid.*

¹⁷³ *Ibid.*

¹⁷⁴ HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

¹⁷⁵ *Ibid.*

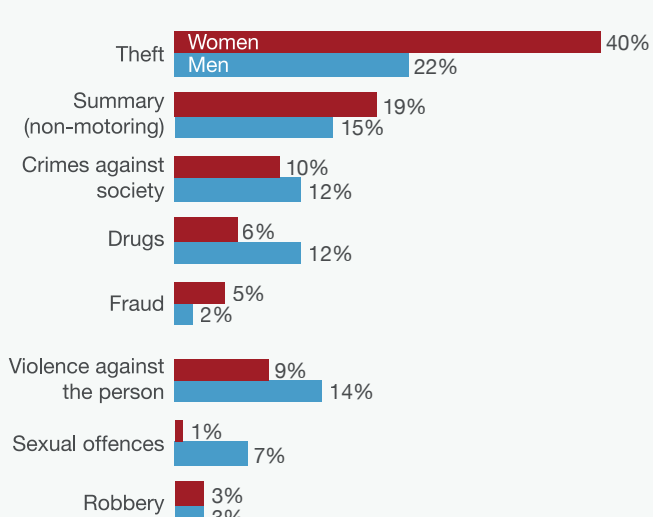
¹⁷⁶ Table 6.07, 6.09 and 6.10, Ministry of Justice (2016) Women and the criminal Justice system 2015, London: Ministry of Justice

¹⁷⁷ Table 5.2, Ministry of Justice (2017) Offender management statistics quarterly: April to June 2017, London: Ministry of Justice and earlier editions

¹⁷⁸ Hedderman, C. and Jolliffe, D. (2015) The Impact of Prison for Women on the Edge: Paying the Price for Wrong Decisions, Victims & Offenders: An International Journal of Evidence-based Research, Policy, and Practice. 10 (2), 152–178

¹⁷⁹ HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

Women tend to commit less serious offences—so many serve custodial sentences of 12 months or less

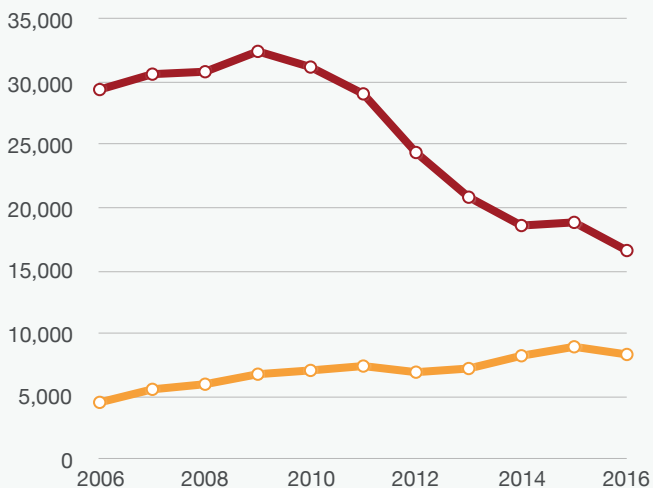


Source: Offender management statistics, April to June 2017



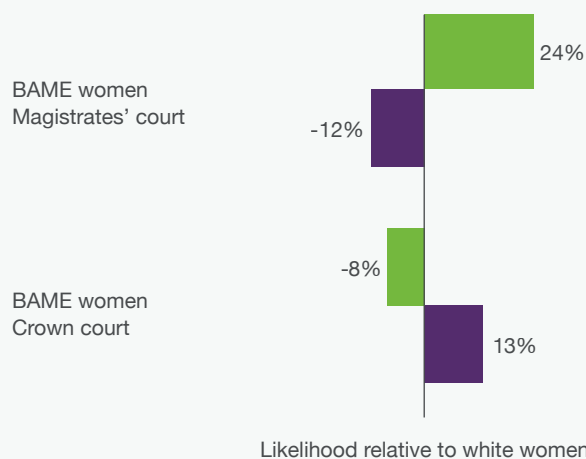
Source: Offender management statistics, April to June 2017

Community sentences for women have almost halved in a decade—suspended sentences have risen, but account for only 3% of all sentences



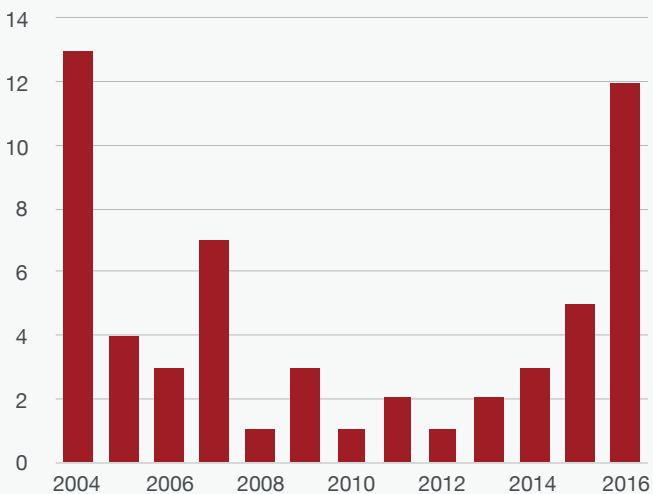
Source: Criminal justice statistics quarterly December 2016, Sentencing tool

BAME women are more likely to be convicted at magistrates' courts than white women and less likely to be sentenced to custody. But in the Crown court this trend reverses.



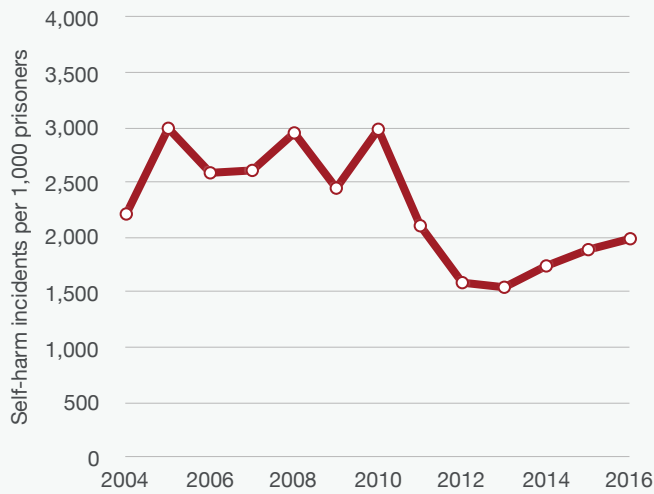
Source: Ministry of Justice (2016) Black, Asian and minority ethnic disproportionality in the criminal justice system in England and Wales

After years of decline, last year saw the highest number of self-inflicted deaths by women in 12 years



Source: Safety in custody statistics quarterly update to June 2017

Self-harm rates have fallen from historic levels—but are rising once again



Source: Safety in custody statistics quarterly update to June 2017

Just 9% of women leaving prison secured employment—compared to 26% of men.¹⁸⁰

Following reforms to probation services there is currently no reliable national data on homelessness on release.¹⁸¹

Family

Family contact can help reduce the risk of reoffending on release.¹⁸² But keeping in touch is often made more difficult by being held in prison, many miles away from home. The average distance for women is 64 miles, but is often significantly more.¹⁸³ The closure of HMP Holloway has increased this further according to inspectors.¹⁸⁴

It is estimated that more than 17,240 children were separated from their mother by imprisonment in 2010.¹⁸⁵

40 babies were held in prison in a mother and baby unit (MBU) in March 2017.¹⁸⁶

Applications for admission to an MBU were successful in nearly four out of five cases (79%) where a board made a decision. 61 women moved into a unit in 2016–17.¹⁸⁷

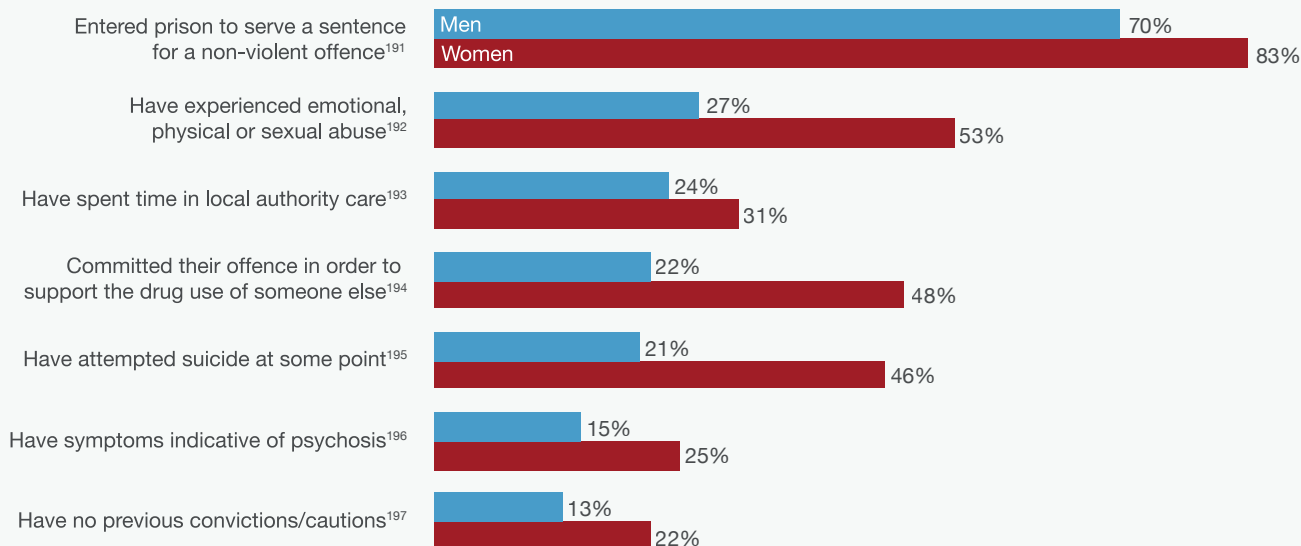
Addictions

More than half (59%) of women in prison who drank in the four weeks before custody thought they had a problem with alcohol. 52% thought their drinking was out of control, and 41% wished they could stop.¹⁸⁸

58% of women report having used Class A drugs in the four weeks before custody—compared with 43% of men.¹⁸⁹

Nearly half of women report needing help with a drug problem on entry to prison—compared with nearly three in 10 men.¹⁹⁰

Social characteristics of male and female prisoners



¹⁸⁰ Table 2, Ministry of Justice (2013) NOMS Offender equalities annual report 2012–13, London: Ministry of Justice

¹⁸¹ House of Commons written question 109362, 1 November 2017

¹⁸² Criminal Justice Joint Inspection (2014) Resettlement provision for adult offenders: Accommodation and education, training and employment, London: HM Inspectorate of Prisons

¹⁸³ Women in Prison (2015) State of the Estate: Women in Prison's report on the women's custodial estate (2nd edition), London: Women in Prison

¹⁸⁴ HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

¹⁸⁵ Wilks-Wiffen, S. (2011) Voice of a Child, London: Howard League for Penal Reform

¹⁸⁶ Table 9.1, Ministry of Justice (2017) Annual National Offender Management Service digest: 2016 to 2017, London: Ministry of Justice

¹⁸⁷ Ibid.

¹⁸⁸ Tables A28, A24 and A27, Light, M., et al. (2013) Gender differences in substance misuse and mental health amongst prisoners, London: Ministry of Justice

¹⁸⁹ Light, M., et al. (2013) Gender differences in substance misuse and mental health amongst prisoners, London: Ministry of Justice

¹⁹⁰ Ibid.

¹⁹¹ Table 2.4b, Ministry of Justice (2017) Offender management statistics quarterly: April to June 2017, London: Ministry of Justice

¹⁹² Light, M., et al. (2013) Gender differences in substance misuse and mental health amongst prisoners, London: Ministry of Justice

¹⁹³ Ministry of Justice (2012) Prisoners' childhood and family backgrounds, London: Ministry of Justice

¹⁹⁴ Ibid.

¹⁹⁵ Light, M., et al. (2013) Gender differences in substance misuse and mental health amongst prisoners, London: Ministry of Justice

¹⁹⁶ Ibid.

¹⁹⁷ Table A1.20, Ministry of Justice (2017) Offender management statistics prison population 2017, London: Ministry of Justice

Children in prison

Use of custody

The number of children (under-18s) in custody has fallen by 71% in the last decade.¹⁹⁸ They are also committing fewer crimes—with proven offences down by 74% from their peak in 2006.¹⁹⁹

At the end of September 2017 there were 880 children in custody in England and Wales. 43 children were aged 14 or younger.²⁰⁰

Nearly a third of children in custody in 2015–16 were there for non-violent crimes.²⁰¹

Boys account for 96% of the children in custody. The number of girls in custody has fallen from around 240 in 2005 to 34 in 2017.²⁰²

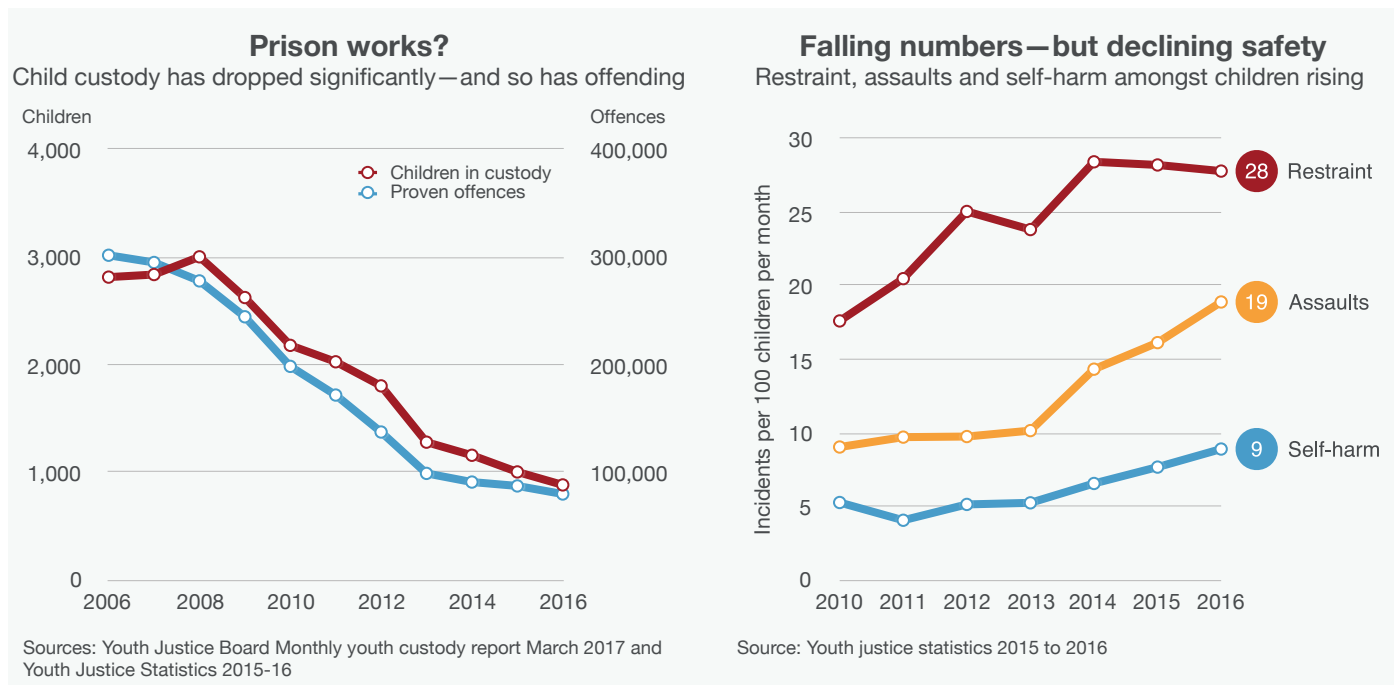
The drop in youth custody has not been as significant for black, Asian or minority ethnic (BAME) children. More than two-fifths (45%) of children in custody are BAME—up from a quarter (26%) in 2008.²⁰³

Fewer than 1% of all children in England are in care,²⁰⁴ but they make up around two-fifths of children in secure training centres (38%) and young offender institutions (42%).²⁰⁵

Children in care were five times more likely to be sanctioned for an offence than children in the general population in 2015.²⁰⁶ In 2010 it was more than two and a half times more likely.²⁰⁷

22% of children held in young offender institutions identified themselves as Muslim.²⁰⁸

One in 10 children in secure training centres (STCs) said they were Gypsy, Romany or Traveller—a hundred times greater than the estimated proportion in the general population. A further 7% of children in young offender institutions (YOIs) also said they were.²⁰⁹



198 Table 1, Youth Justice Board (2017) Monthly youth custody report—September 2017, London: Ministry of Justice
 199 Table 4.2, Ministry of Justice (2017) Youth justice statistics 2015–16 England and Wales, London: Ministry of Justice
 200 Table 1 and 8, Youth Justice Board (2017) Monthly youth custody report—September 2017, London: Ministry of Justice
 201 Table 7.5, Ministry of Justice (2017) Youth justice statistics 2015–16, London: Ministry of Justice
 202 Table 7, Youth Justice Board (2017) Monthly youth custody report—September 2017, London: Ministry of Justice
 203 Table 1 and 6, Youth Justice Board (2017) Monthly youth custody report—September 2017, London: Ministry of Justice
 204 Department for Education (2015) Children looked after in England year ending 31 March 2015, London: DfE and Table MYE2, Office for National Statistics (2015) Population Estimates for UK, England and Wales, Scotland and Northern Ireland, mid-2014, London: ONS
 205 HM Inspectorate of Prisons (2017) Children in custody 2016–17, London: HM Stationery Office
 206 Table 11, Department for Education (2016) Children looked after in England including adoption: 2015 to 2016, London: DfE
 207 Table 7.1, Department for Education (2010) Outcomes for children looked after by local authorities in England, as at 31 March 2010, London: DfE
 208 HM Inspectorate of Prisons (2017) Children in custody 2016–17, London: HM Stationery Office
 209 Ibid. and HM Inspectorate of Prisons (2015) Children in custody 2014–15, London: HM Stationery Office

Over a quarter (27%) of children remanded in custody were subsequently acquitted in the year to March 2016. Nearly one in five (38%) went on to be given a non-custodial sentence.²¹⁰

Safety in custody

Only two out of the seven children's establishments inspected in 2016–17 were rated as 'reasonably good' for safety and none were rated 'good'—a sharp decline from 2013–14 when nine out of 12 establishments received these ratings.²¹¹

Nearly two in five children (39%) in YOIs said they had felt unsafe at some point.²¹²

Rates of self-harm continue to rise. There were 8.9 incidents of self-harm per 100 children in the year to March 2016, a rise of 70% since 2013. On average there were 116 incidents of self-harm per month.²¹³

Assault rates amongst children in custody continue to rise, with an average of 245 assaults a month. There were 19 assaults per 100 children in custody in the year to March 2016, up from nine in 2010.²¹⁴

Measures to address increasing violence have reduced time out of cell. Inspectors found many boys spent most of their sentence locked up.²¹⁵

Restraint of children in custody remains high, with an average of 360 incidents a month. In the year to March 2016, there were 28 incidents of restraint per 100 children in custody, up from 18 in 2010.²¹⁶

BAME children are more likely to be restrained. For every 100 children in custody there were 32 incidents of restraint on BAME children a month, compared with 25 incidents on white children.²¹⁷

Drugs and alcohol

Nearly half of children entering custody (45%) were assessed as having a substance misuse concerns.²¹⁸

More than one in five children (22%) said it was easy to get illegal drugs in their YOI.²¹⁹

8% of boys said they had an alcohol problem on arrival into custody—5% said they had received help.²²⁰

Family

Fewer than three in five children (58%) in STCs and only one in three children (34%) in YOIs said that they had visits at least once a week from family, carers or friends.²²¹

One in 10 boys held in YOIs reported having children themselves.²²²

Education and skills

The educational background of children in custody is poor—nine out of 10 children (90%) in YOIs said they had been excluded from school.²²³

Over two-fifths (42%) said that they were aged 14 or younger when they were last at school.²²⁴

73% of children in YOIs said they were taking part in education. However only 21% said they were in offending behaviour programmes, 12% had a job, and 8% were in vocational or skills training.²²⁵

210 Table 6.5, Ministry of Justice (2017) Youth justice statistics 2015 to 2016, London: Ministry of Justice

211 HM Chief Inspector of Prisons (2017) Annual report 2016–17, London: The Stationery Office

212 HM Inspectorate of Prisons (2016) Children in custody 2015–16, London: HM Stationery Office

213 Table 8.3, Ministry of Justice (2017) Youth justice statistics 2015–16, London: Ministry of Justice

214 Ibid. and Youth justice statistics 2014 to 2015

215 HM Chief Inspector of Prisons (2017) Annual report 2016–17, London: The Stationery Office

216 Table 8.3, Ministry of Justice (2017) Youth justice statistics 2015–16, London: Ministry of Justice and Youth justice statistics 2014 to 2015

217 Table 8.6, Ibid.

218 Youth Justice Board (2017) Key characteristics of admissions to youth custody April 2014 to March 2016, London: Ministry of Justice

219 Appendix B3, HM Inspectorate of Prisons (2017) Children in custody 2016–17, London: HM Stationery Office

220 Ibid.

221 HM Inspectorate of Prisons (2017) Children in custody 2016–17, London: HM Stationery Office

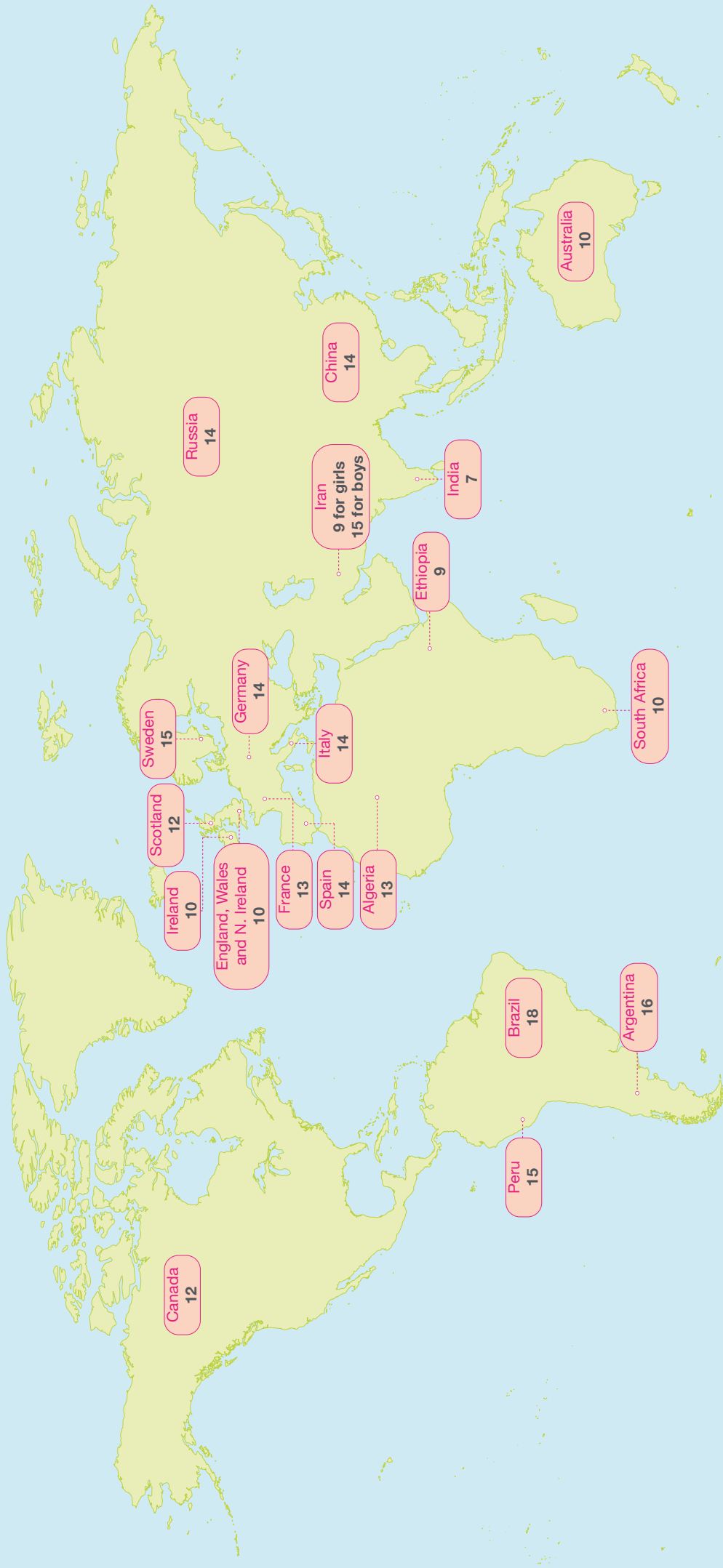
222 Ibid.

223 Appendix B3, Ibid.

224 Ibid.

225 HM Inspectorate of Prisons (2017) Children in custody 2016–17, London: HM Stationery Office

Youngest age at which a person may be prosecuted in a criminal trial



Other approaches to children's criminal responsibility

Sweden

No sanction can be imposed for a crime committed before the age of 15. Imprisonment may only be imposed on under 18s if there are extraordinary reasons for it.

Algeria

Before the age of 18, children have their cases dealt with by the Court for Minors. It cannot impose criminal sanctions on children under 13 but can impose measures of protection or re-education. Criminal sanctions are available for children aged 13-18, but are at a reduced level to adults.

France

Whilst 13 is the youngest age someone can be subject to criminal sanctions, France has a graduated system of penalties. This includes educative sanctions for children aged 10-13. Criminal sanctions for 13-15 year olds are half that of adults, with full criminal sanctions available from age 16.

China (exc. Hong Kong & Macau)

14 is the age of criminal responsibility for serious offences such as homicide, rape, robbery and drug trafficking. However, for other less serious offences criminal responsibility begins at 16. Less severe punishments are given to those under 18.

Young adults in prison

Whilst the National Offender Management Service classify young adults as aged 18–20, evidence from the Transition to Adulthood Alliance suggests that the process of brain development and maturity takes place up to the age of 25. Therefore, where available we have included information for 18–24 year olds. It is clearly stated when we are referring to this age group.

Both the House of Commons Justice Committee and Lord Harris’ review into self-inflicted deaths in custody of young adult men aged 18 to 24 called for a “legal recognition of the concept of ‘maturity’”. As well as chronological age, maturity should be a primary consideration in making decisions relating to diversion, sentencing and, where a custodial sentence must be given, how and where a young adult (18–24) should be accommodated.”

14,963 young adults (aged 18–24) are currently in prison in England and Wales—they account for 17% of the total prison population.²²⁶

There are now 32% fewer young adults (aged 18–24) in prison in England and Wales than in 2011.²²⁷

Despite this welcome reduction, the prisons inspectorate has cautioned that those who remain in custody are “some of the most vulnerable, troubled young adults”.²²⁸

Young adults (aged 18-24) have the highest level of black, Asian and minority ethnic (BAME) overrepresentation in the adult prison estate of all age groups. If our prison population reflected the make-up of England and Wales, we would have 2,850 fewer BAME young adults in prison.²²⁹

Two-fifths (40%) of young adults are in prison for violence against the person or robbery—more than a quarter (28%) are there for a theft or drug offence.²³⁰

Safety in custody

People aged 18–24 accounted for nearly a third (31%) of all self-harm incidents in 2016.²³¹

In over a third of all assaults (34%) in 2016 the victim was aged 18–24.²³²

Treatment and conditions

Inspectors found that most prisons made little distinction in the treatment of young adults²³³—despite the evidence on brain development and maturity.²³⁴

People in young adults prisons have the least time out of cell. 37% said that they had less than two hours out of their cell on a weekday, and only 4% said they had over 10 hours.²³⁵

Purposeful activity, such as education and training opportunities, for young adults requires improvement. Both of the young adult prisons inspected this year were rated as poor.²³⁶

Drugs and alcohol

Over half of young adults (18–24) in prison were assessed as having a drug problem.²³⁷ Nearly a third (31%) said it was easy or very easy to get drugs in their prison.²³⁸

24% of young adults (18–24) in prison were assessed as having an alcohol problem.²³⁹

²²⁶ Table A1.7, Ministry of Justice (2017) Offender management statistics prison population 2017, London: Ministry of Justice

²²⁷ Ibid.

²²⁸ HM Chief Inspector of Prisons (2016) Annual Report 2015–16, London: The Stationery Office

²²⁹ Table 11, Kneen, H. (2017) An exploratory estimate of the economic cost of Black, Asian and Minority Ethnic net overrepresentation in the Criminal Justice System in 2015, London: Ministry of Justice

²³⁰ Table A1.3i, Ministry of Justice (2017) Offender management statistics prison population 2017, London: Ministry of Justice

²³¹ Table 2.3, Ministry of Justice (2017) Safety in custody statistics quarterly update to June 2017, London: Ministry of Justice

²³² Table 3.3, Ibid.

²³³ HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

²³⁴ Prior, D. et al. (2011) Maturity, young adults and criminal justice: A literature review, Birmingham: University of Birmingham

²³⁵ HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

²³⁶ Ibid.

²³⁷ Table 1.3, Ministry of Justice (2016) Characteristics and needs of young adults in prison custody, England and Wales, Offender management statistics quarterly: April to June 2016, London: Ministry of Justice

²³⁸ HM Chief Inspector of Prisons (2016) Annual Report 2015–16, London: The Stationery Office

²³⁹ Table 1.3, Ministry of Justice (2016) Characteristics and needs of young adults in prison custody, England and Wales, Offender management statistics quarterly: April to June 2016, London: Ministry of Justice

HEALTH IN PRISON

Drugs and alcohol

Drugs

Chief Inspector of Prisons, Peter Clarke has said that new psychoactive substances (NPS) are “having a dramatic and destabilising effect in many of our prisons”.²⁴⁰ NPS continues to be linked to violence, debt, organised crime and medical emergencies.²⁴¹

Nearly half of men (47%) and 31% of women reported that it was easy to get drugs in their prison.²⁴²

An estimated 225kg of drugs were confiscated from within prisons in 2016—a further 104kg were found in the first six months of 2017.²⁴³

In September 2016, following a pilot in 34 prisons, nationwide mandatory testing for specified psychoactive substances was introduced in all prisons.²⁴⁴

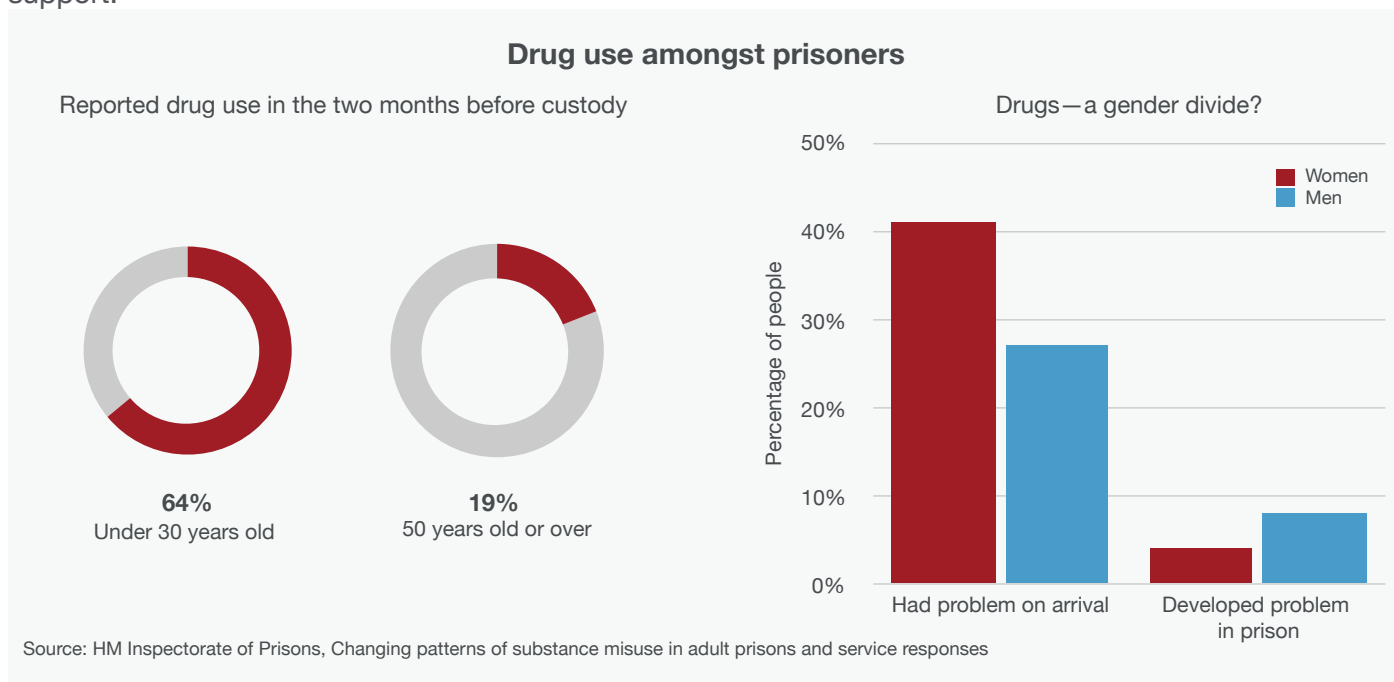
More than 300 dogs have been trained to detect psychoactive substances in prisons. Between November 2014 and September 2017 there have been 821 incidents where psychoactive substances were found following an indication from a dog—an average of around 23 detections a month.²⁴⁵

There were 79 deaths in prison between June 2013 and September 2016, where the person was known, or strongly suspected, to have used or possessed new psychoactive substances (NPS) before their death—56 of these were self-inflicted.²⁴⁶

There have been reports of prisoners, including at least one case where a man died, being given ‘spiked’ cigarettes. This was done by others who wanted to test new batches as a way of gauging the effect before taking it themselves.²⁴⁷

Lower rates of drug use were reported by people who spent more than ten hours a day out of their cells—13% compared with 19%.²⁴⁸

Inspectors have highlighted the importance of both peer and family support to reduce supply and demand of drugs in prisons—however many have inadequate peer support, and most offered no family support.²⁴⁹



240 HM Chief Inspector of Prisons (2016) Annual Report 2015–16, London: The Stationery Office

241 HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

242 Ibid.

243 House of Commons written question 5383, 20 July 2017

244 Ministry of Justice (2016) Prison safety and reform, London: Ministry of Justice

245 House of Lords written question HL2313, 6 November 2017

246 Newcomen, N. (2017) Prisons and Probation Ombudsman speech to the All Party Parliamentary Group on Penal Affairs, available at <http://bit.ly/PPOspeechtoAPPG>

247 Prisons and Probation Ombudsman (2015) Learning lessons bulletin: New psychoactive substances, London: PPO

248 HM Inspectorate of Prisons (2015) Changing patterns of substance misuse in adult prisons and service responses, London: HMIP

249 Ibid.

Nearly one in ten people (9%) reported that they had been pressured to give away their prescribed medication whilst in prison.²⁵⁰

10% of women and 6% of men in prison reported that they had developed a problem with using prescription medication meant for other people whilst in prison.²⁵¹

Cannabis is the most commonly reported drug used before going into prison, followed by cocaine. Of those who reported taking drugs before prison 38% had taken cannabis and 29% had taken cocaine.²⁵²

NPS use before going into prison was low relative to other substances with 6% reporting they had taken Spice/Black Mamba and 5% for other legal highs. Prisoners who said that they had used NPS in the community before going into prison had generally used it with other drugs or with illicit medication.²⁵³

15% of men and 13% of women in prison are serving sentences for drug offences.²⁵⁴

66% of women and 38% of men in prison report committing offences to get money to buy drugs.²⁵⁵

Nearly half of women in prison report having committed offences to support someone else's drug use.²⁵⁶

NHS England estimates that it spends approximately 20% of all prison healthcare spending on substance misuse services—some £81m in 2016–17.²⁵⁷

Half of people in prison receiving substance misuse treatment in 2015–16 were there for opiate addiction—28,500 people.²⁵⁸

Less than a third of adults in prison (30%) in need of substance misuse treatment following release in 2015–16 were successfully engaged in community-based treatment within 21 days.²⁵⁹

Alcohol

In two-fifths (40%) of violent crimes the victim believed the offender or offenders to be under the influence of alcohol.²⁶⁰

70% said they had been drinking when they committed the offence for which they were in prison. 38% of people surveyed in prison believed that their drinking was a big problem.²⁶¹

Women are nearly twice as likely to say they have a problem with alcohol on arrival to prison than men (30% against 16%).²⁶²

Nearly a quarter of men (23%) said that it was easy to get alcohol in their prison—more than three times the level amongst women in prison (7%).²⁶³

58% of people surveyed said they had been offered support for their alcohol problems inside prison. However, only 22% found this support 'very helpful'.²⁶⁴

Only 40% of people surveyed were informed of help available for their drinking problems on release.²⁶⁵

²⁵⁰ Ibid.

²⁵¹ HM Chief Inspector of Prisons (2016) Annual Report 2015–16, London: The Stationery Office

²⁵² HM Inspectorate of Prisons (2015) Changing patterns of substance misuse in adult prisons and service responses, London: HMIP

²⁵³ Ibid.

²⁵⁴ Table 1.2b, Ministry of Justice (2017) Offender management statistics quarterly: April to June 2017, London: Ministry of Justice

²⁵⁵ Light, M. et al. (2013) Gender differences in substance misuse and mental health amongst prisoners, London: Ministry of Justice

²⁵⁶ Ibid.

²⁵⁷ House of Commons written question 8136, 12 September 2017

²⁵⁸ Table 4, Cooper, A., et al. (2017) Secure setting statistics from the National Drug Treatment Monitoring System (NDTMS) 1 April 2015 to 31 March 2016, London: Public Health England

²⁵⁹ Cooper, A., et al. (2017) Secure setting statistics from the National Drug Treatment Monitoring System (NDTMS) 1 April 2015 to 31 March 2016, London: Public Health England

²⁶⁰ Table 3.10, Office for National Statistics (2017) Focus on violent crime and sexual offences, England and Wales: year ending March 2016, London: Office for National Statistics

²⁶¹ Alcohol and Crime Commission (2014) The Alcohol and Crime Commission Report, London: Addaction

²⁶² HM Chief Inspector of Prisons (2016) Annual Report 2015–16, London: The Stationery Office

²⁶³ HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

²⁶⁴ Alcohol and Crime Commission (2014) The Alcohol and Crime Commission Report, London: Addaction

²⁶⁵ Ibid.

Mental health

There is currently insufficient data to identify how many people 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.

An independent review, conducted by the former Home Office minister, Lord Bradley (The Bradley Report, 2009) called for adequate community alternatives to prison for vulnerable people. Lord Bradley's review heard evidence that 2,000 prison places per year could be saved if a proportion of eligible, short-term prisoners who committed offences while experiencing mental health problems were given appropriate community sentences.

Lord Bradley further called for all police custody suites and criminal courts to have access to liaison and diversion services. The government committed to invest in these services to identify and, where appropriate, divert people with mental health problems, learning disabilities and other support needs away from the criminal justice system and into treatment and care.

There is now 68% population coverage of liaison and diversion services across England, which will rise to 82% by April 2018.²⁶⁶

26% of women and 16% of men said they had received treatment for a mental health problem in the year before custody.²⁶⁷

25% of women and 15% of men in prison reported symptoms indicative of psychosis.²⁶⁸ The rate among the general public is about 4%.²⁶⁹

Self-inflicted deaths are 8.6 times more likely in prison than in the general population.²⁷⁰

70% of people who died from self-inflicted means whilst in prison had already been identified as having mental health needs. However, the Prisons and Probation Ombudsman (PPO) found that concerns about mental health problems had only been flagged on entry to the prison for just over half of these people.²⁷¹

The PPO's investigation found that nearly one in five of those diagnosed with a mental health problem received no care from a mental health professional in prison.²⁷²

The PPO also found that no mental health referral was made when it should have been in 29% of self-inflicted deaths where mental health needs had already been identified.²⁷³

40% of prisons inspected in 2016–17 had inadequate or no training for prison officers to know when to refer a person for mental health support.²⁷⁴

980 people were transferred from prison to a secure hospital in 2016.²⁷⁵ Nearly a third of these transfers (32%) took more than 14 days, the Department of Health's expectation.²⁷⁶

In nearly three-quarters of prisons inspected in 2016–17, people waited too long to be transferred to mental health care, due to NHS shortages. Many were left untreated and their condition sometimes deteriorating—often for several months, according to inspectors.²⁷⁷

9,093 people have been referred for mental health treatment since the start of liaison and diversion services in England. 13% were detained under the Mental Health Act and 3% were admitted to a mental health hospital.²⁷⁸

²⁶⁶ Department of Health website, accessed on 6 December 2017, available at <https://www.gov.uk/government/news/extra-funding-for-mental-health-nurses-to-be-based-at-police-stations-and-courts-across-the-country>

²⁶⁷ Ministry of Justice (2013) Gender differences in substance misuse and mental health amongst prisoners, London: Ministry of Justice

²⁶⁸ Ibid.

²⁶⁹ Wiles, N., et al. (2006) Self-reported psychotic symptoms in the general population, *The British Journal of Psychiatry*, 188: 519–526

²⁷⁰ Ministry of Justice (2017) Safety in Custody quarterly bulletin: update to September 2016, London: Ministry of Justice

²⁷¹ Prisons and Probation Ombudsman (2016) Prisoner mental health, London: PPO

²⁷² Ibid.

²⁷³ Ibid.

²⁷⁴ HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

²⁷⁵ Table 7, Ministry of Justice (2017) Offender Management Statistics quarterly: October to December 2016, Restricted patients 2016, London: Ministry of Justice

²⁷⁶ House of Lords written question HL2096, 27 October 2017

²⁷⁷ HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

²⁷⁸ House of Commons written question 27917, 26 February 2016

Disability and health

Disability

36% of people in prison are estimated to have a physical or mental disability. This compares with 19% of the general population.²⁷⁹

11% have a physical disability, 18% have a mental disability and 7% have both.²⁸⁰

Over a third of people in prison with a disability (37%) reported feeling depressed or suicidal when they first arrived in prison—more than double that amongst people without a disability (16%).²⁸¹

People in prison with disabilities report more negatively about many key aspects of prison life.²⁸²

Three in five people in prison with a disability (61%) reported feeling unsafe—with 44% saying they'd been victimised by other prisoners.²⁸³

One in 10 people in prison with a disability (11%) said they had been victimised by staff because of their disability—one in five (20%) said they were threatened or intimidated by staff.²⁸⁴

Nearly one in six people in prison with a disability (15%) said they had been restrained by staff in the last six months—compared with one in 10 people without a disability.²⁸⁵

Three-quarters of people in prison with a disability (74%) reported having an emotional or mental health problem—compared with a three in 10 people without a disability.²⁸⁶

Inspectors found that physical provision for those with the most severe disabilities was generally poor, with few adapted cells and little wheelchair access.²⁸⁷

Nearly one in five children (19%) held in young offender institutions said they had a disability.²⁸⁸

Boys with disabilities were more likely to say they'd been victimised by other boys and staff, and felt unsafe at some time.²⁸⁹

Health

The majority of prisons deliver a reasonably good standard of health care most of the time according to inspectors.²⁹⁰

However, inspectors found that too few operational staff had access to defibrillators and/or were first aid trained in over half the male adult prisons they inspected in 2016–17—this is particularly concerning given the high number of health emergencies in prisons.²⁹¹

Health services in prisons are being impeded by prison officer shortages and restrictive regimes. Inspectors reported that this led to 'serious detrimental effects' in over half the services they inspected in 2016–17.²⁹²

Problems included people not being able to get to or from their internal or external healthcare appointments due to a lack of prison staff to escort them there; inpatients being kept in their cells rather than taking part in therapeutic activities to aid their recovery; and night time medication being given as early as 4:30pm.²⁹³

279 Ministry of Justice (2012) Estimating the prevalence of disability amongst prisoners: results from the Surveying Prisoner Crime Reduction (SPCR) survey, London: Ministry of Justice

280 Ibid.

281 HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

282 Ibid.

283 Ibid.

284 Ibid.

285 Ibid.

286 Ibid.

287 Ibid.

288 HM Inspectorate of Prisons (2017) Children in Custody 2016–17, London: HM Stationery Office

289 Ibid.

290 HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

291 Ibid.

292 Ibid.

293 Ibid.

Problems with the recruitment of appropriate clinical staff affected the management of lifelong health conditions, such as diabetes and epilepsy, in more than a quarter of adult male prisons in 2016–17.²⁹⁴

Under a quarter of men (23%) and less than one in five women (19%) said it was easy to see a doctor.²⁹⁵

Three-quarters women (76%) report currently taking medication, compared with just over half (53%) of men.²⁹⁶

Approximately four times as many people in prisons smoke as in the general population.²⁹⁷

Smoking was banned in all prisons in Wales in January 2016. A smoking ban is being gradually rolled out across the prison estate in England, with 66 prisons currently smoke-free.²⁹⁸ The roll out of the ban is intended to continue until 2018 where all prisons will be smoke-free.²⁹⁹

The rate of infection for blood-borne viruses, such as Hepatitis B and C and HIV, is four times higher in prisons than in the general population.³⁰⁰

The prevalence rate of TB amongst people in prison in England is nearly five times higher than in the general population.³⁰¹

Just over a quarter (27%) of people in prison said they went to the gym three or more times a week. Inspectors routinely found that access was restricted because of staff shortages.³⁰²

The Prisons and Probation Ombudsman found that healthcare staff in many cases treated people who had died from natural causes, in a caring and compassionate manner—judged to be equivalent to the treatment they could have expected to receive in the community.³⁰³

However, the ombudsman also found that in too many investigations healthcare staff failed to make urgent referrals when they had concerns a person might have cancer.³⁰⁴

People can apply for compassionate release if they have a life expectancy of less than three months, are bedridden or severely incapacitated.³⁰⁵

The number of people granted compassionate release for health reasons is low—between 2012 and 2016, only 56 people were released. A further 5 people have been released to date in 2017.³⁰⁶

Compassionate release was only considered in 36% of 314 cases examined by the Prisons and Probation Ombudsman. However, in 43% of these cases, an application was still under consideration at the time of death.³⁰⁷

The ombudsman found that frequently, risk assessments conducted for compassionate or temporary release were judged based on the risk a person would have posed when healthy—not the actual risk they pose based on their current health condition.³⁰⁸

294 Ibid.

295 Ibid.

296 Ibid.

297 Public Health England (2015) Health & justice report 2014, London: PHE

298 House of Lords written question HL2171, 1 November 2017

299 National Offender Management Service (2017) Annual Report and Accounts 2016-2017, London: Ministry of Justice

300 Public Health England (2017) Health and justice annual review 2016/17

301 Ibid.

302 HM Chief Inspector of Prisons (2017) Annual report 2016–17, London: The Stationery Office

303 Prisons and Probation Ombudsman (2017) Annual report 2016–17, London: PPO

304 Ibid.

305 HM Prison Service (2012) Prison Service Order 6000: Parole release and recall, London: Ministry of Justice and HM Prisons Service (2010) Prison Service Order 4700: Indeterminate sentence manual, London: Ministry of Justice

306 House of Lords written question HL2099, 1 November 2017

307 Prisons and Probation Ombudsman (2017) Learning lessons from PPO investigations: Older prisoners, London: Prisons and Probation Ombudsman

308 Ibid.

REHABILITATION AND RESETTLEMENT

Reoffending

In 2010, reoffending by all recent ex-prisoners was estimated to cost the economy between £9.5 and £13 billion annually. As much as three quarters of this cost can be attributed to former short-sentenced prisoners—some £7–10bn a year.³⁰⁹

Prison has a poor record for reducing reoffending—nearly half of adults (49%) are reconvicted within one year of release. For those serving sentences of less than 12 months this increases to 66%.³¹⁰

48% of women are reconvicted within one year of leaving prison. This rises to 61% for sentences of less than 12 months and to 78% for women who have served more than 11 previous custodial sentences.³¹¹

Nearly two-thirds of children (65%) sent to prison are reconvicted within a year of release. This rises to 69% for sentences of 6 months or less, and 71% for sentences between 6 and 12 months.³¹²

Short prison sentences are less effective than community sentences at reducing reconviction.

People serving prison sentences of less than 12 months had a reconviction rate seven percentage points higher than similar offenders serving a community sentence—they also committed more crimes.³¹³

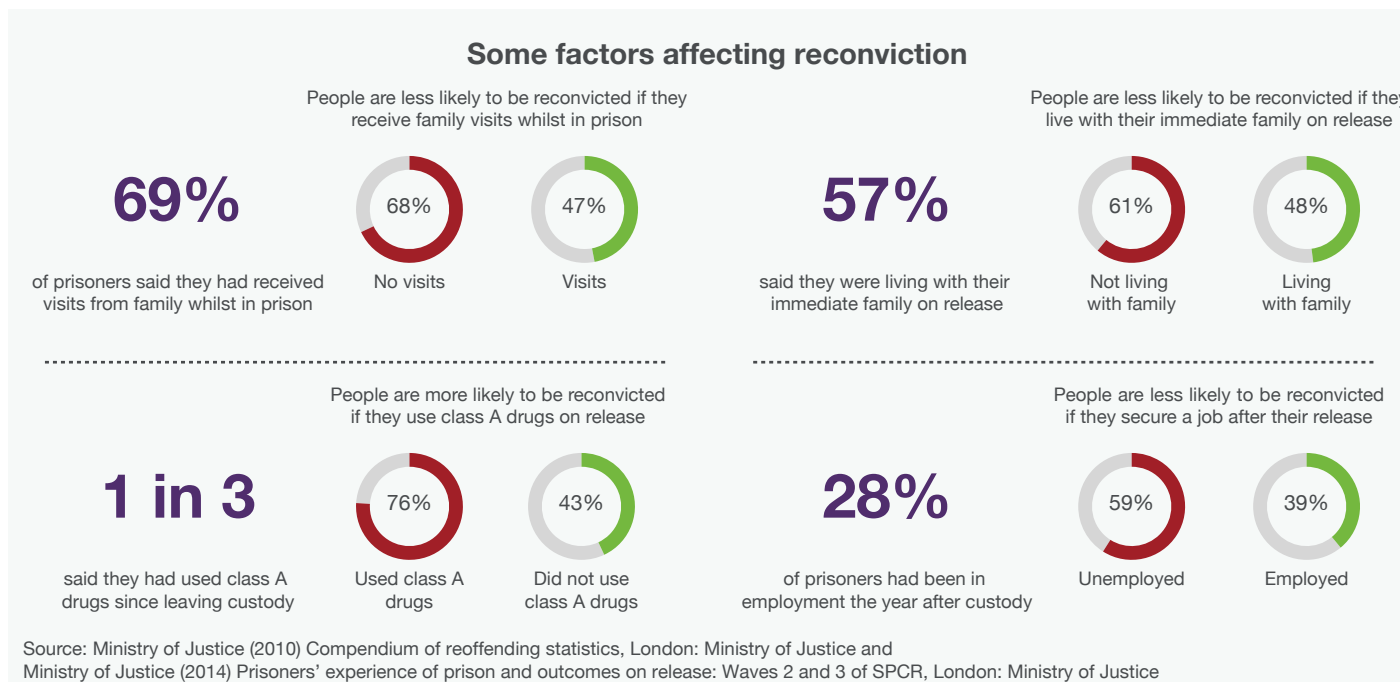
Nearly all prisoners (97%) said they wanted to stop offending. When asked what would be important in stopping them, most said a job (68%) and a place to live (60%).³¹⁴

40% of prisoners said that support from their family, and 36% said seeing their children, would help them stop reoffending.³¹⁵

Receiving treatment for drug and alcohol addictions can reduce offending. There was a 44% reduction in the number of people reconvicted, and a 33% reduction in offences, by people who had offended in the two years before starting community based alcohol and drug treatment.³¹⁶

People are less likely to reoffend if they have a qualification—45% were reconvicted within a year compared with 60% with no qualifications.³¹⁷

Fewer than one in six people (16%) released from prison in 2014–15 went into education and training.³¹⁸



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

310 Tables C1a (3 monthly) and C2a (3 monthly), Ministry of Justice (2017) Proven reoffending statistics quarterly: October to December 2015, London: Ministry of Justice

311 Table 6.07, 6.09 and 6.10, Ministry of Justice (2016) Women and the criminal justice system 2015, London: Ministry of Justice

312 Tables C1b (3 monthly) and C2b (3 monthly), Ministry of Justice (2017) Proven reoffending statistics quarterly: October to December 2015, London: Ministry of Justice

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

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

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

316 Ministry of Justice (2017) The impact of community-based drug and alcohol treatment on re-offending, London: Ministry of Justice and Public Health England

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

318 Table 11, Ministry of Justice (2015) National Offender Management Service annual report 2014-15: Management information addendum, London: Ministry of Justice

Purposeful activity

Purposeful activity includes education, work and other activities to aid rehabilitation whilst in prison.

Only half of prisons (51%) received a positive rating from inspectors in 2016–17 for purposeful activity work.³¹⁹

Time out of cell is very limited in local prisons and young adult prisons. Three in 10 people in local prisons (31%) and nearly four in 10 people in young adult prisons (37%) said they spent less than two hours a day out of their cells.³²⁰

Inspectors regularly found more than a quarter of people in prison locked up during the working day. Even in training prisons, where the situation was better, between 11% and 16% of prisoners said they were locked up for more than 22 hours a day.³²¹

In 14 of the 35 adult male prisons inspected in 2016–17, there were not enough places for all prisoners to take part in education or vocational training throughout the week. Around half of prisons inspected failed to use all their activity places—leaving prisoners without work, education or training.³²²

Almost half of prisons were rated as ‘requiring improvement’ or ‘inadequate’ in their overall effectiveness for learning and skills and work—whilst further progress is needed, this is a considerable reduction from just under two-thirds in 2015–16.³²³

Education

Over half (57%) of people entering prison were assessed as having literacy skills expected of an 11 year old³²⁴—more than three times higher than in the general adult population (15%).³²⁵

73,500 adults in the prison system participated in education in the first three quarters of the 2016–17 academic year—a decrease of nearly eight per cent on the same period in 2015–16.³²⁶

The overall quality of teaching and learning in prisons has improved and was rated as ‘good’ or better in over 60% of the prisons inspected.³²⁷

However, the number of English and maths qualifications achieved at level 1 or 2 (GCSE equivalent) has plummeted—numbers fell by 38% in English and 35% in maths between the 2011–12 and 2015–16 academic years.³²⁸

Despite this, 11,300 people achieved a full level 2 qualification, the equivalent to 5 GCSEs, in the 2015–16 academic year via mainstream prison learning—more than five times as many as in 2011–12.³²⁹

People in prison are now required to take out, and then repay, loans if they want to take part in Higher and Further Education courses.³³⁰

Only 300 people achieved a level 3 qualification (AS and A Level equivalent) in the 2015–16 academic year via mainstream prison learning—a quarter of the number in 2011–12.³³¹

Since the new funding regime was introduced there has been a 42% fall in prisoners studying Open University degrees.³³²

319 HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

320 Ibid.

321 Ibid.

322 Ibid.

323 Ibid.

324 Skills Funding Agency (2016) OLASS English and maths assessments: participation 2015/16, London: SFA

325 Figure 1.1, Department for Business Innovation and Skills (2012) The 2011 Skills for Life Survey: A Survey of Literacy, Numeracy and ICT Levels in England, London: BIS

326 Skills Funding Agency (2017) Further education and skills: July 2017, London: SFA

327 HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

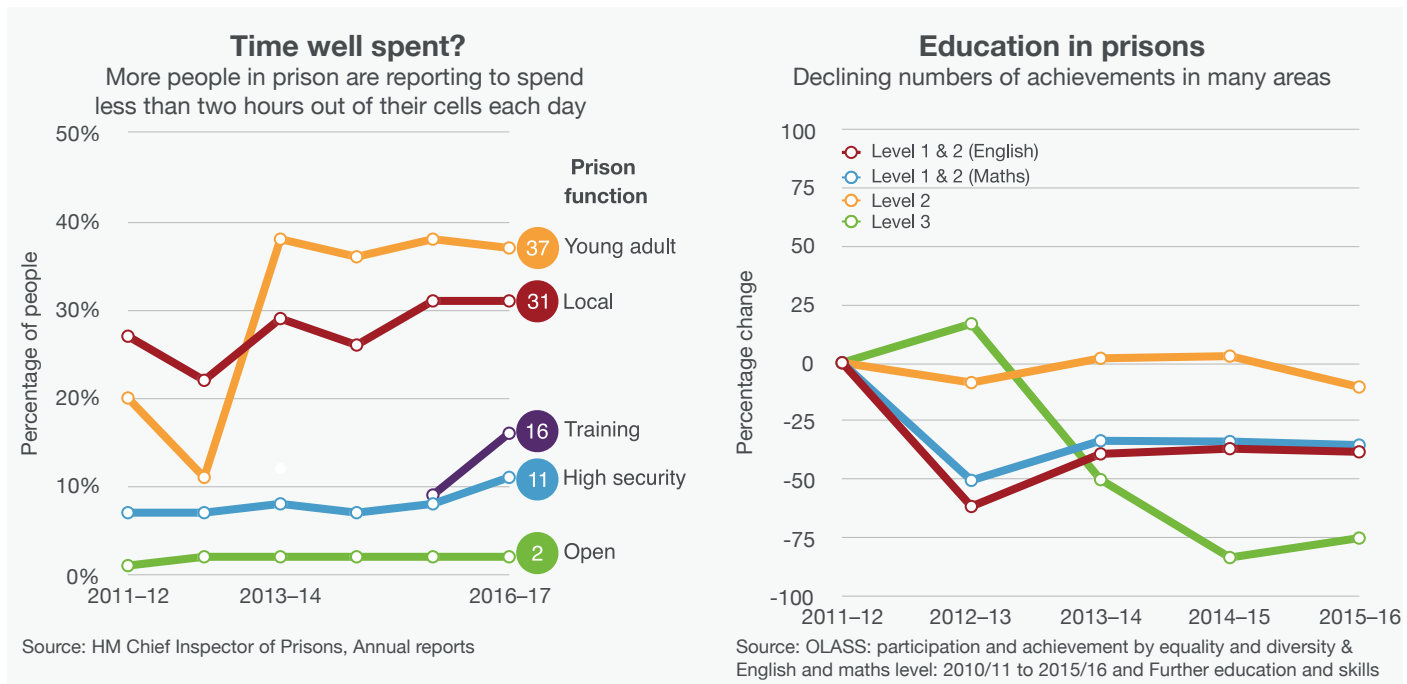
328 Skills Funding Agency (2016) FE data library—OLASS: participation and achievement by equality and diversity & English and maths level: 2010/11 to 2015/16, London: SFA

329 Table 10.2, Skills Funding Agency (2017) Further education and skills: March 2017, London: SFA

330 Department for Business, Innovation and Skills (2015) Freedom of Information request: Prisoner education, 24 February 2015, London: BIS

331 Table 10.2, Skills Funding Agency (2017) Further education and skills: March 2017, London: SFA

332 Provided by Open University



People in prison typically have higher completion rates and pass rates than their mainstream counterparts—with 75% completing and 88% passing their Open University course.³³³

Engagement with education can reduce reoffending. The Ministry of Justice found that one year reoffending rates were a quarter lower (six to eight percentage points) for people who received support from Prisoners’ Education Trust for educational courses or learning materials compared to those in a matched group who did not.³³⁴

Over 100 prisons in England & Wales have Virtual Campus, a secure IT platform which provides education, training and employment resources to people in prison—however its ongoing use is limited. A review of prison education found that of nearly 30,000 recorded users only 10,000 had logged in to use it and nearly half of these were simply to register as a new user.³³⁵

Employment

An average of 9,400 prisoners are working in the public prison estate, and a further 1,800 are working in private prisons. They worked for a total of 16 million hours in 2016–17.³³⁶

Inspectors found that in too many prisons, work remains mundane, repetitive and is rarely linked to resettlement objectives. The skills that people had developed whilst in prison often went unrecorded and so failed to help their employment prospects on release.³³⁷

A Ministry of Justice survey of prisoners found that only around half (53%) reported having had paid work in prison. Nearly one in three worked as cleaners.³³⁸

Training

Prisoners who attend vocational training in prison are more likely to secure employment shortly after release³³⁹—a view endorsed by Ofsted.³⁴⁰

The government has announced plans to introduce a Prisoner Apprenticeship Pathway to offer prisoners opportunities that will count towards the completion of a formal apprenticeship on release.³⁴¹

333 Ibid.

334 Ministry of Justice (2015) Justice Data Lab Re-offending Analysis: Prisoners’ Education Trust, London: Ministry of Justice

335 Coates, S. (2016) Unlocking Potential: A review of education in prison, London: Ministry of Justice

336 Table 4.1 and 4.2, Ministry of Justice (2017) Annual National Offender Management Service digest: 2016 to 2017, London: Ministry of Justice

337 HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

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

339 Brunton-Smith, I. and Hopkins, K (2014) The impact of experience in prison on the employment status of longer-sentenced prisoners after release, London: Ministry of Justice

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

341 Ministry of Justice (2016) Prison safety and reform, London: Ministry of Justice

The Young Offender Programme works with people who are in the final six months of their sentence and are considered suitable for Release on Temporary Licence (ROTL) to connect them with employers. It operates throughout the UK with the involvement of over 80 companies, including National Grid, Cadent, Morrison Utility Services, Skanska and Balfour Beatty. The employee retention rate is reported to be 10% higher than for those who are recruited through traditional routes.³⁴²

Timpson actively recruit ex-offenders to work for them. It has a total of six prison training academies, including at HMPs Downview, New Hall and Blantyre House. In addition at HMP Thorn Cross there are three workshops where shoe repairs and specialist photo production takes place. Thorn Cross also releases people on ROTL who work in the day in other parts of the business and return to prison each evening.³⁴³

The Clink Charity operates restaurants, which are open to the public, at HMPs High Down, Cardiff, Brixton, and the women's prison HMP Styal, in partnership with the prison service. It offers prisoners the chance to gain experience and qualifications in the food and hospitality industry, with mentoring and guidance to find full-time employment, and provide resettlement support upon release. Research by the Ministry of Justice showed a 41% reduction in the likelihood of re-offending and a lower frequency of reoffences.³⁴⁴

Lendlease, through their charitable trust Be Onsite, work with London prisons to provide training and employment opportunities in the construction industry. Be Onsite works with people whilst on ROTL and after completing their prison sentence. People are employed directly by Be Onsite in order to help overcome the difficulty that many construction workers are self employed.

Halfords, in response to the increasing popularity of cycling has opened a bike repair workshop at HMP Onley. The workshop provides training to prisoners before they can progress to ROTL with the aim of full time employment on release. This has proved sufficiently successful that there are plans to open a second workshop at HMP Drake Hall.

Peer-support

In many prisons people provide support to their peers. Roles include providing practical and emotional support; acting as representatives to highlight issues and concerns amongst their peers to staff; de-escalating tensions between prisoners to prevent violence or bullying; and coaching or guiding those learning a new skill or preparing for release.

Inspectors have noted “Prisoners often prefer support from their peers to other formal or professional sources of support, and peers are often easier to access, making them a more readily available source of support.”³⁴⁵

St Giles Trust offers training and a recognised Level 3 qualification in advice and guidance under its Peer Advisor Programme to prisoners and ex-offenders in prisons across England and Wales. 13,227 people were helped in prison through the Peer Advisor Programme in 2016–17.³⁴⁶

The Reading Plan run by the Shannon Trust enables prisoners to act as peer mentors to support other prisoners who are learning to read. Nine out of 10 learners surveyed felt their reading skills were improving.³⁴⁷

The Samaritans' Listener Scheme is active in almost every prison across the UK. In 2016 there were 1,673 active Listeners in place—with 1,447 Listeners trained during 2016. Listeners play an invaluable role in making prisons safer by being there for other prisoners who might be struggling to cope; helping them to talk about their worries and try to find a positive way forward. Listeners were contacted more than 87,367 times during 2016.³⁴⁸

³⁴² Provided by Cadent

³⁴³ Provided by Timpson. James Timpson, Chief Executive of Timpson, is Chair of the Prison Reform Trust

³⁴⁴ Ministry of Justice (2016) Justice Data Lab analysis: Re-offending behaviour after participation in the Clink Restaurant training programme, London: Ministry of Justice

³⁴⁵ HM Chief Inspector of Prisons (2015) Annual Report 2014-15, London: The Stationery Office

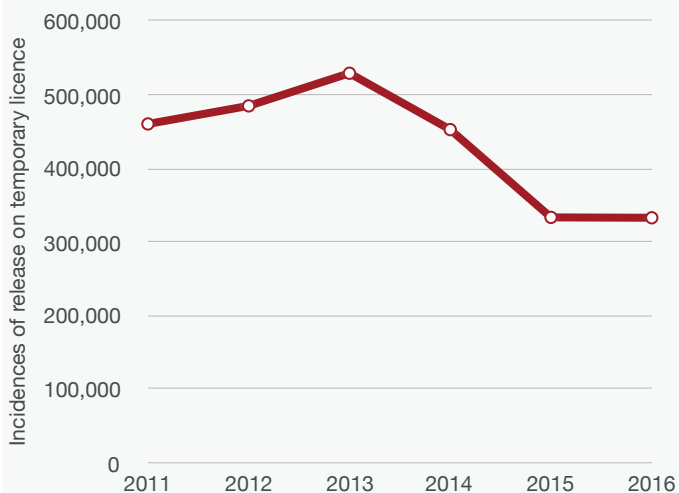
³⁴⁶ Provided by St Giles Trust

³⁴⁷ Shannon Trust website, accessed on 9 October 2017, available at <http://www.shannontrust.org.uk/our-work/our-achievements/>

³⁴⁸ Statistics provided by Samaritans

Prepared for release

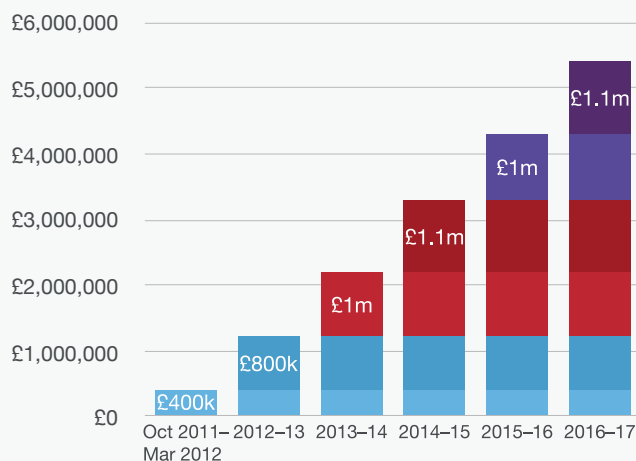
Use of release on temporary licence has fallen by nearly 40%



Source: Offender management statistics annual tables 2016

Working for victims

Prisoners have raised over £5m for Victim Support so far through the Prisoner Earning Act levy



Source: Annual National Offender Management Service digest: 2016 to 2017

Release on Temporary Licence (ROTL)

ROTL can play an important part in helping people to prepare for release, particularly those who are serving long sentences. Following a full risk assessment, it allows people to take responsibility, and reconnect with the world they will be released in. People may take part in work and volunteering, re-establish contact with their families and try to find accommodation—factors which contribute to their safe management and supervision in the community on release.

7,036 people were granted ROTL in 2016.³⁴⁹

In 99.92% of cases ROTL is completed successfully. There were just 17 failures as a result of alleged further offending in 2016 out of nearly 333,000 instances of ROTL.³⁵⁰

Despite this, restrictions were introduced on ROTL which have seen a drop of nearly 40% in its use in the last three years. At the time restrictions were introduced the success rate was 99.93%.³⁵¹

During 2016–17, there were a total of 1,675 people, on average only 368 per month, working out of the prison on licence.³⁵²

They paid £256 per month on average to the Prisoners’ Earnings Act levy—the equivalent of over a quarter (27%) of their net earnings.³⁵³

£5.38m has been paid to Victim Support since the introduction of the levy in October 2011.³⁵⁴

Home Detention Curfew (HDC)

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

There were 9,041 releases on HDC in 2016.³⁵⁵

This was just over a fifth (21%) of people who were eligible to be released—a third fewer than a decade ago, and five percentage points lower than the year before.³⁵⁶

5% of releases on HDC resulted in a person being recalled to custody in 2016.³⁵⁷

³⁴⁹ Table A3.7, Ministry of Justice (2017) Offender management statistics prison releases 2016, London: Ministry of Justice

³⁵⁰ Ibid. and House of Lords written question HL2314, 6 November 2017

³⁵¹ Table A3.7, Ministry of Justice (2017) Offender management statistics prison releases 2016, London: Ministry of Justice

³⁵² Table 5.1 and 5.2, Ministry of Justice (2017) Annual National Offender Management Service digest: 2016 to 2017, London: Ministry of Justice

³⁵³ Table 5.2, Ibid.

³⁵⁴ Table 5.1, Ibid.

³⁵⁵ Table A3.5, Ministry of Justice (2017) Offender management statistics prison releases 2016, London: Ministry of Justice

³⁵⁶ Ibid.

³⁵⁷ Table A3.6i, Ibid.

Resettlement

Nearly everyone in prison will be released at some point. 72,395 people were released in the year to June 2017.³⁵⁸

Some people are entitled to receive a discharge grant to help them on release—however this has remained fixed at £46 since 1997. Thousands more prisoners are ineligible, including those released from remand, fine defaulters and people serving less than 15 days.³⁵⁹

At most prisons, there is little or no reliable recording of outcome data, such as the number of people released to sustainable accommodation or entering employment, training or education according to inspectors.³⁶⁰

Employment

For many, having a criminal conviction is a barrier to leading a law-abiding life on release. The Rehabilitation of Offenders Act 1974 gives people with spent convictions and cautions the legal right not to disclose them when applying for most jobs.

However, only one in four (27%) people released from prison in 2014–15 had a job to go to.³⁶¹

Half of respondents to a 2016 YouGov survey said that they would not consider employing an offender or ex-offender.³⁶²

Just one in five people (21%) leaving prison and referred to the Work Programme have found a job which they have held for six months or more.³⁶³ Of these, two in five (40%) have subsequently gone back to Jobcentre Plus.³⁶⁴

But, 87 employers so far, including the entire Civil Service, have signed up to Ban the Box—removing the need to disclose convictions at the initial job application stage as a first step towards creating fairer employment opportunities for ex-offenders.³⁶⁵

Accommodation

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.

One in 10 people (11%) released from custody in 2014–15 had no settled accommodation.³⁶⁶ Inspectors have said that the figures are “misleading” as “they do not take into account the suitability or sustainability of the accommodation.”³⁶⁷

The Homelessness Reduction Act 2017 means that prisons and probation providers will be subject to the new duty to refer people who might be at risk of becoming homeless to the local housing authority.³⁶⁸

Financial exclusion

Many people in prison are released with debts which have built up during their sentence—adding to the problems they face on release. These include outstanding fines, rent or mobile phone contracts. Inspectors found that in many cases no action was taken before release, despite problems being apparent at the start of a sentence.³⁶⁹

More than four in five former prisoners surveyed said their conviction made it harder to get insurance and four-fifths said that when they did get insurance, they were charged more. The inability to obtain insurance can prevent access to many forms of employment or self-employment.³⁷⁰

358 Table 3.1, Ministry of Justice (2017) Offender management statistics quarterly, April to June 2017, London: Ministry of Justice

359 Prison Service Instruction 72/2011 Discharge, Annex B

360 HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

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

362 YouGov and Department for Work and Pensions (2016) Survey Results, Fieldwork 26 June–14 December, London: YouGov, available at <http://bit.ly/YouGovDWP>

363 Table 2.8, Department for Work and Pensions (2017) Work programme official statistics to June 2017, London: DWP

364 Department for Work and Pensions, Stat-Xplore website, accessed on 17 October 2016, available at <https://stat-xplore.dwp.gov.uk/>

365 Business in the Community website, accessed on 16 May 2017, available at <http://www.bitc.org.uk/programmes/ban-box/who-has-banned-box-0>

366 Table 10, Ministry of Justice (2015) NOMS Annual Report 2014/15: Management Information Addendum, London: Ministry of Justice

367 Criminal Justice Joint Inspection (2014) Resettlement provision for adult offenders: Accommodation and education, training and employment, London: HMIP

368 House of Commons written question 7749, 12 September 2017

369 Criminal Justice Joint Inspection (2017) An inspection of through the gate resettlement services for prisoners serving 12 months or more, London: HMIP

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

Family

Family and friends are the most important factor in enabling successful resettlement on release.

Despite this, inspectors found no evidence that families were involved in sentence planning, even when a person said they were relying on them for support after release.³⁷¹

Furthermore, no-one routinely monitors the parental status of prisoners in the UK or systematically identifies children of prisoners, where they live or which services they are accessing.

Prisons do not regularly record whether people have children under the age of 18, however, 54% of women and 49% of men surveyed by inspectors in 2016–17 reported that they did.³⁷²

Nearly one in five (19%) young adults (18–20 years old) surveyed said they had children. This compares to 4% of the general population who are young fathers.³⁷³

One in 10 boys in young offender institutions told inspectors that they had children themselves.³⁷⁴

Women are often held further away from their families, making visiting difficult and expensive.

The average distance is 64 miles, but many are held considerably further away.³⁷⁵ The government has committed to build and open five new community prisons for women to help to address this—however the recent closure of HMP Holloway has resulted in more women being held further away from friends and family according to inspectors.³⁷⁶

Reoffending rates are 21 percentage points higher for people who said they had not received family visits whilst in prison compared to those who had.³⁷⁷

Only around a third of prisoners said they had been helped by staff to maintain family ties.

Inspectors found that “support for rebuilding and maintaining family ties remained inconsistent and in many cases limited to visits, letters and telephone calls”.³⁷⁸

Arrangements to help prisoners maintain and strengthen family ties are too variable across prisons, and are not given sufficient priority or resources according to an independent government commissioned review and prisons inspectors.³⁷⁹

Most people were in contact with their family while in custody—either by letter (91%), telephone (88%) or through visits (70%).³⁸⁰

However, nearly half (44%) of people said they had problems sending or receiving mail—and over a quarter (26%) had problems accessing telephones.³⁸¹

The cost of making a telephone call from prison is expensive. A 30 minute call during the working week to a landline costs £2.75 and for mobiles is £6.12.³⁸²

Secure in-cell telephones, with reduced call costs, have been introduced at HMP Wayland to make keeping in touch more easier and more affordable. Early evidence has shown an increase in calls and improved behaviour, and inspectors found that it was helping people to stay in touch with their families.³⁸³

Only three in ten prisoners reported that it was easy or very easy for family to visit them at their current prison—16% said they did not receive visits.³⁸⁴

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

372 HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

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

374 HM Inspectorate of Prisons (2016) Children in Custody 2015–16, London: HM Stationery Office

375 Women in Prison (2015) State of the estate—Women in Prison's report on the women's custodial estate (2nd edition), London: Women in Prison

376 Ministry of Justice (2016) Prison safety and reform, London: Ministry of Justice and HM Chief Inspector of Prisons (2017) Annual Report 2016–17, London: The Stationery Office

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

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

379 Farmer, M. (2017) The importance of strengthening prisoners' family ties to prevent reoffending and reduce Intergenerational Crime, London: Ministry of Justice and

HM Inspectorate of Prisons (2016) Life in prison: contact with families and friends, London: HMIP

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

381 HM Inspectorate of Prisons (2016) Life in prison: contact with families and friends, London: HMIP

382 HM Inspectorate of Prisons (2016) Life in prison: Earning and spending money, London: HMIP

383 Prison and Courts Bill Committee (2017) Committee stage (fourth sitting), Hansard HC, 29 March 2017, c18, available at <http://bit.ly/WaylandPhones> and HM Inspectorate of Prisons (2017) Report on an unannounced inspection of HMP Wayland 19–30 June 2017, London: HMIP

384 HM Inspectorate of Prisons (2016) Life in prison: Earning and spending money, London: HMIP

OTHER UK PRISON SYSTEMS

Scotland³⁸⁵

The Scottish Government is taking forward an ambitious prison reform programme which includes increasing the use of community sentences; reducing the use of short term custodial sentences and remand; and improving the reintegration of individuals from custody to community.

Following the introduction of legislation against the presumption of custodial sentences of less than three months in 2010, the Scottish Government has announced it will extend this to sentences of less than 12 months “with the aim of using prison primarily for those individuals who have committed serious offences and those cases involving issues of public safety.”

A new model for community justice was launched in April 2017, and there are plans to introduce legislation to extend the use of electronic monitoring in the community.

The Scottish Government has committed to reducing the number of women in prison and has set a target of 230 women across the new women’s estate. A new national 80-place unit for women will be built at HMP Cornton Vale along with five community custodial units, holding 20 women each, across Scotland to allow them to be closer to their communities and families. The new national prison for women and the first two community custody units will open in 2020.

Use of custody

On 17 November 2017 the total number of people in custody in Scotland stood at 7,482.³⁸⁶

Scotland has one of the highest imprisonment rates in western Europe— 138 people in prison per 100,000 of the population. England and Wales have an imprisonment rate of 146 per 100,000, France 103 per 100,000 and Germany 77 per 100,000.³⁸⁷

Over one-third of the adult male general population, and nearly one-tenth of adult women is likely to have at least one criminal conviction.³⁸⁸

However, the prison population in Scotland is continuing to fall. An average of 7,552 people were in custody during 2016–17, 123 fewer people than the year before.³⁸⁹

14% of people sentenced by the courts were given a custodial sentence in 2015–16.³⁹⁰

Prison sentences are getting longer. The average length of a custodial sentence in 2015–16 was over nine months (292 days)—over two months (63 days) longer than a decade ago.³⁹¹

There is a statutory presumption against prison sentences of less than three months—unless a court considers that no other method of dealing with the person is appropriate.³⁹² However, they still accounted for three in 10 custodial sentences given in 2015–16.³⁹³

The number of people on remand remains high—accounting for nearly one in five people in prison (18%) compared with 12% in England and Wales. An average of 1,370 people were in prison on remand in 2016–17, down from 1,494 the year before.³⁹⁴

The cost of imprisonment continues to rise. It costs an average of £35,325 per prison place—an increase of nearly £3,400 in the last four years.³⁹⁵

Whilst convictions have fallen in the last decade, the number of people given a community sentence has risen by 18% during the same period.³⁹⁶

³⁸⁵ This section has been updated as extensively as possible with the available information. Long-standing technical issues continue to affect the publication of up to date statistics on prisons in Scotland, with no clear timetable for when they will be resolved. According to the Scottish Government, data for 2014-15 have been affected by an unrelated critical incident and release will be further delayed pending resolution.

³⁸⁶ Scottish Prison Service website, accessed on 5 December 2017, available at <http://www.sps.gov.uk/Corporate/Information/SPSPopulation.aspx>

³⁸⁷ International Centre for Prison Studies website, accessed on 25 November 2017, available at http://www.prisonstudies.org/highest-to-lowest/prison_population_rate?field_region_taxonomy_tid=14

³⁸⁸ The Scottish Government (2013) Discussion Paper on the Rehabilitation of Offenders Act 1974, Edinburgh: The Scottish Government

³⁸⁹ Scottish Prison Service (2017) Annual report and accounts 2016–17, Edinburgh: SPS and Scottish Prison Service (2016) Annual report and accounts 2015–16, Edinburgh: SPS

³⁹⁰ Table 9, The Scottish Government (2017) Criminal proceedings in Scotland 2015–16, Edinburgh: The Scottish Government

³⁹¹ Table 10(c), *Ibid.* and Criminal proceedings in Scotland 2014–15

³⁹² The Criminal Justice and Licensing (Scotland) Act 2010

³⁹³ Table 10(a), The Scottish Government (2017) Criminal proceedings in Scotland 2015–16, Edinburgh: The Scottish Government

³⁹⁴ Appendix 3, Scottish Prison Service (2017) Annual report and accounts 2016–17, Edinburgh: SPS and Annual report and accounts 2015–16; and

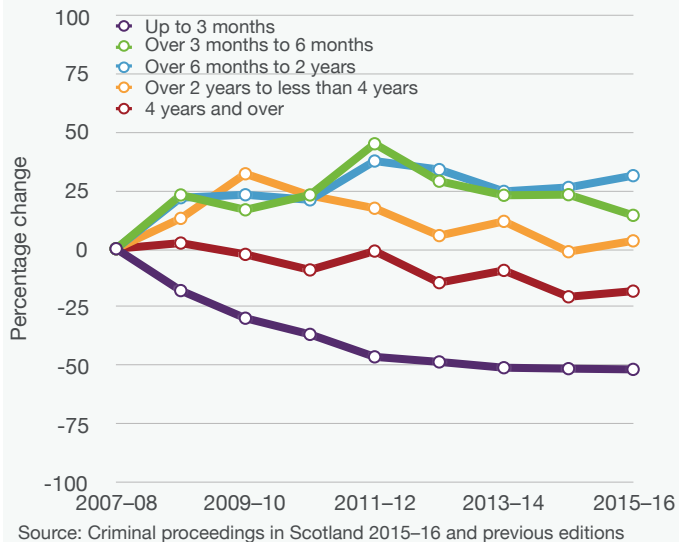
Table 1.1, Ministry of Justice (2017) Offender management statistics quarterly: April to June 2017, London: Ministry of Justice

³⁹⁵ Appendix 8a, Scottish Prison Service (2017) Annual report and accounts 2016–17, Edinburgh: SPS and Scottish Prison Service (2013) Annual report and accounts 2012–13, Edinburgh: SPS

³⁹⁶ Table 7(a), The Scottish Government (2017) Criminal proceedings in Scotland 2015–16, Edinburgh: The Scottish Government

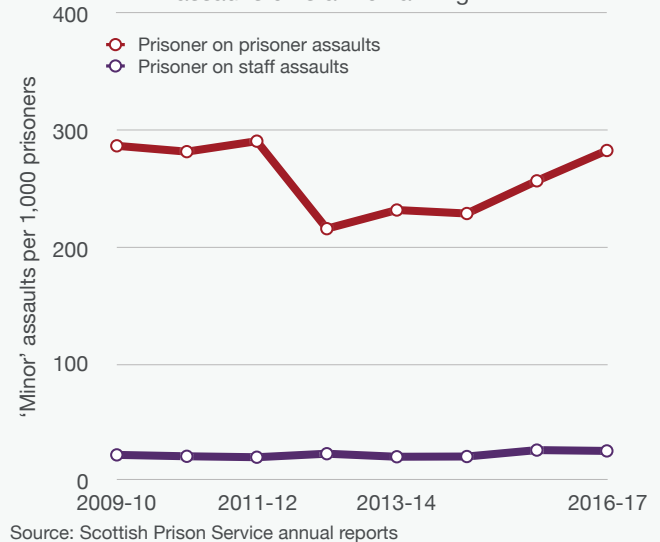
Short custodial sentences in Scotland

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



Rising tensions

Assaults on prisoners are increasing and assaults on staff remain high



Safety in prisons

There have been 123 deaths in custody in the last five years—with 23 so far in 2017. 66 of these deaths are still under investigation.³⁹⁷

In a quarter of deaths (25%) in the last five years investigations have concluded that they were self-inflicted.³⁹⁸

Recorded prisoner on prisoner assaults rose by 21% between 2014-15 and 2016-17. Serious assaults also rose by 12%.³⁹⁹

Assaults on staff have risen by 16% in the last two years. There were 198 assaults on staff in 2016-17, 5 were serious.⁴⁰⁰

People in prison

84% of people entering prison to serve a sentence in 2013-14 were there for non-violent offences.⁴⁰¹

Three-quarters (76%) of tests carried out on people entering prison in 2016-17 were positive for illegal drugs.⁴⁰²

Nearly one in three men (29%) and over a quarter of women (26%) reported they had been in care as a child.⁴⁰³

There are more than 300 people aged over 60 in prison. Inspectors have warned that this trend is likely to continue, due to the increasing numbers of historic sexual offences being prosecuted in the courts, and the increasing lengths of prison sentences being issued by the courts.⁴⁰⁴

Women in prison

The women's prison population in Scotland increased by 38% since 2003-04.⁴⁰⁵ However, there are signs that this is starting to slowly decline. On average 366 women were held in prison during 2016-17.⁴⁰⁶

Women in prison are more likely to be there on remand than men (25% compared to 18%).⁴⁰⁷ Only around 30% of women on remand go on to receive a custodial sentence.⁴⁰⁸

³⁹⁷ Scottish Prison Service website, accessed on 13 October 2017, available at <http://www.sps.gov.uk/Corporate/Information/PrisonerDeaths.aspx>

³⁹⁸ Ibid.

³⁹⁹ Appendix 8a, Scottish Prison Service (2017) Annual report and accounts 2016-17, Edinburgh: SPS and previous editions

⁴⁰⁰ Ibid.

⁴⁰¹ Table A.11, The Scottish Government (2015) Prison statistics Scotland: 2013-14, Edinburgh: The Scottish Government

⁴⁰² Scottish Prison Service (2017) SPS Addiction Prevalence Testing Stats Final 2016/17, Edinburgh: SPS

⁴⁰³ Scottish Prison Service (2016) Women in custody 2015, Edinburgh: SPS

⁴⁰⁴ HM Inspectorate of Prisons for Scotland (2017) Annual report 2016-17, Edinburgh: HMIPS

⁴⁰⁵ Table A.1, The Scottish Government (2015) Prison statistics Scotland: 2013-14, Edinburgh: The Scottish Government and Table 1, Prison statistics Scotland: 2012-13

⁴⁰⁶ Appendix 2, Scottish Prison Service (2017) Annual report and accounts 2016-17, Edinburgh: SPS and previous editions

⁴⁰⁷ Table A.1, The Scottish Government (2015) Prison statistics Scotland: 2013-14, Edinburgh: The Scottish Government

⁴⁰⁸ Commission on Women Offenders (2012) Commission on Women Offenders Final Report: Edinburgh, The Scottish Government

Remand accounts for nearly two-thirds (64%) of all receptions of women into prison. There were 1,805 receptions on remand by women in 2013–14.⁴⁰⁹

A third of women (34%) reported being drunk at the time of their offence—a quarter reported that it affected their ability to hold down a job.⁴¹⁰

A higher proportion of women commit ‘crimes of dishonesty’ than men—15% of proven offences by women were for acquisitive crimes compared with 11% of men’s.⁴¹¹

10% of women reported having served more than ten sentences in prison.⁴¹²

128 pregnant women have been held in prison in Scotland since 2012—during this time 37 children have been born whilst in prison.⁴¹³

Children and young adults

There were 334 young people (under 21) in prison as of 17 November 2017—41 of these were under 18.⁴¹⁴ The number of young people sent to prison has fallen by 60% in the last nine years.⁴¹⁵

Over half (55%) of young people were under the influence of drugs at the time of their offence (compared to 39% adults). One-in-five (19%) committed their offence to get money to buy drugs.⁴¹⁶

Six in 10 young people reported being drunk at the time of their offence (compared to 41% adults).⁴¹⁷

A third of young people reported being in care as a child.⁴¹⁸

A quarter of boys said they had no qualifications. Over half (56%) said that they were ‘often’ excluded from school and four in 10 (37%) said that they had ‘often’ attended a Children’s Panel.⁴¹⁹

Rehabilitation and resettlement

43% of people released from custody are reconvicted within a year—rising to 58% for men and 63% for women with more than 10 previous convictions.⁴²⁰

Only three in 10 prisoners had accessed services while in prison to help them prepare for release. Of those who accessed services, 68% had sought advice about housing and 46% about employment.⁴²¹

Three in 10 (29%) of prisoners surveyed said they didn’t know where they would be living on release.⁴²²

Fewer than a quarter (24%) of prisoners surveyed said that they had received help with their drug addiction during their sentence.⁴²³

693 people on average were held in prison in 2013–14 following recall from supervision or licence—nearly double the number in 2004–05.⁴²⁴

However, an evaluation of the SPS Throughcare Service, which provides people serving short sentences with support to prepare for and on release from prison, found improved engagement with support services including benefits; housing; substance misuse treatment, education and employment, factors which are known to aid desistance from crime and reduce reoffending.⁴²⁵

409 Table A.8, The Scottish Government (2015) Prison statistics Scotland: 2013–14, Edinburgh: The Scottish Government

410 Scottish Prison Service (2016) Women in custody 2015, Edinburgh: SPS

411 Tables 6(a) and 6(b), The Scottish Government (2017) Criminal proceedings in Scotland 2015–16, Edinburgh: The Scottish Government

412 Scottish Prison Service (2016) Women in custody 2015, Edinburgh: SPS

413 Scottish Prison Service (2017) Freedom of Information request, HQ 17079 available at <http://www.sps.gov.uk/FreedomofInformation/FOI-5209.aspx>

414 Scottish Prison Service website, accessed on 5 December 2017, available at <http://www.sps.gov.uk/Corporate/Information/SPSPopulation.aspx>

415 Table 11, The Scottish Government (2017) Criminal proceedings in Scotland 2015–16, Edinburgh: The Scottish Government

416 Scottish Prison Service (2016) Young people in custody 2015, Edinburgh: SPS

417 Ibid.

418 Ibid.

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

420 Table 8 and 10, The Scottish Government (2017) Reconviction rates in Scotland: 2014–15 offender cohort, Edinburgh: The Scottish Government

421 Scottish Prison Service (2015) Prisoner survey 2015, Edinburgh: SPS

422 Ibid.

423 Ibid.

424 Table A1, The Scottish Government (2015) Prison statistics Scotland: 2013–14, Edinburgh: The Scottish Government

425 Reid-Howie Associates Ltd. (2017) Evaluation of the SPS Throughcare Support Service, Edinburgh: SPS

Northern Ireland

March 2016 saw the end of the formal prison reform programme, with 36 of the 40 recommendations made by the Prison Review Team completed. But, the process of reform continues, with the Northern Ireland Prison Service committing to a reform programme lasting 10 years or more—focusing on effective leadership; purposeful activity opportunities; equality of outcomes for prisoners, with a more diverse workforce; improving accommodation; and a strong relationship with healthcare.

However, the breakdown of power-sharing this year means that Northern Ireland is currently without a justice minister or a functioning Northern Ireland Executive and Assembly.

At HMP Maghaberry, a new 360 cell block is scheduled to open in May 2019. A separate high security facility is also planned on the same site but is awaiting business case approval.

The £150m redevelopment at HMP Magilligan is awaiting business case approval and expected to take nine years to deliver.

Plans to build a new women's prison on the site of HMP Magilligan are unlikely to happen for the foreseeable future.

Use of custody

The number of people in prison in Northern Ireland continues to fall. On 17 November 2017 the total population stood at 1,438—93 fewer people than the previous year.⁴²⁶

However, the number of people entering prison increased by 9% last year—the first time it has done so since 2012. There were 5,199 receptions into prison during 2016.⁴²⁷

The number of people entering prison for fine default continues to rise. Numbers fell significantly in 2013 following a Judicial Review, but numbers have risen during the last two years. 627 people went to prison in 2016 for failure to pay a fine—up from 139 in 2014.⁴²⁸

The imprisonment rate for Northern Ireland is 76 per 100,000 of the population. England and Wales have an imprisonment rate of 146 per 100,000, France 103 per 100,000 and Germany 77 per 100,000.⁴²⁹

The proportion of sentences resulting in custody is increasing. In 2010, 9% of people convicted were sentenced to custody, by 2016 this had risen to 13%. The proportion receiving suspended sentences has also risen from 11% to 17%.⁴³⁰

Northern Ireland continues to hold a high proportion of people in prison on remand compared with other countries. It currently holds over a quarter (26%) on remand compared with 12% in England and Wales, and 18% in Scotland.⁴³¹

Remand accounted for more than half (55%) of all receptions into prison in 2016, with 2,843 receptions in total, the first increase since 2011. 387 people on average were held in prison on remand.⁴³²

The average cost per prisoner place continues to fall from historically high levels—costing £53,408 per year in 2016–17, down from £73,732 in 2010.⁴³³

⁴²⁶ Figure 1, Crone, E. (2017) The Northern Ireland Prison Population 2016 and 2016/17, Belfast: Department of Justice and Northern Ireland Prison Service, situation report for 17 November 2017, accessed on 5 December 2017, available at <https://www.justice-ni.gov.uk/articles/weekly-situation-reports-october-2015>

⁴²⁷ Table 7 and Figure 7, Crone, E. (2017) The Northern Ireland Prison Population 2016 and 2016/17, Belfast: Department of Justice

⁴²⁸ Figure 8, Ibid.

⁴²⁹ International Centre for Prison Studies website, accessed on 25 November 2017, available at http://www.prisonstudies.org/highest-to-lowest/prison_population_rate?field_region_taxonomy_tid=14

⁴³⁰ Table 6c, Department of Justice (2017) Court Prosecutions, Conviction and Out of Court Disposals Statistics for Northern Ireland 2016, Belfast: Department of Justice and Table 6c, Department of Justice (2014) Northern Ireland Conviction and Sentencing Statistics 2010–2012, Belfast: Department of Justice

⁴³¹ Table 1, Crone, E. (2017) The Northern Ireland Prison Population 2016 and 2016/17, Belfast: Department of Justice; Table 1.1, Ministry of Justice (2016) Offender management statistics quarterly: April to June 2016, London: Ministry of Justice; and Appendix 3, Scottish Prison Service (2016) Annual report and accounts 2015–16, Edinburgh: SPS; Annual report and accounts 2014–15, Edinburgh: SPS

⁴³² Table 1 and 7 and Figure 8, Crone, E. (2017) The Northern Ireland Prison Population 2016 and 2016/17, Belfast: Department of Justice; Appendix 3, Scottish Prison Service (2017) Annual report and accounts 2016–17, Edinburgh: SPS; and Table 1.1, Ministry of Justice (2017) Offender management statistics quarterly: April to June 2017, London: Ministry of Justice

⁴³³ Northern Ireland Prison Service (2017) Northern Ireland Prison Service annual report and accounts 2016–17, Belfast: Department of Justice and Committee for Justice (2014) Prison Service Reform and Management of Drugs Misuse: Northern Ireland Prison Service, Belfast: Northern Ireland Assembly

Safety in custody

During 2016–17 there were five deaths in custody—four at Maghaberry prison and one at Magilligan. Three of these appeared to be self-inflicted.⁴³⁴ There have been two further deaths announced so far this year.⁴³⁵ A review of vulnerable people in custody was announced last year but has yet to report.⁴³⁶

The Chief Inspector has said that he is concerned that despite critical reports into deaths in custody and serious self-harm, “some important lessons have not been learnt”.⁴³⁷

Ambulances were called out 1,100 times to prisons between 2013–15—the equivalent of once a day. Over 80% of the calls were made from HMP Maghaberry.⁴³⁸

Half of prisoners reported feeling unsafe at some time during their time in custody. 42% reported they had been bullied and of those that had, 19% reported the incident, 23% did not.⁴³⁹

Inspectors have raised concerns about the availability of drugs within prisons. “They have been responsible for a number of deaths in custody and other serious incidents, and are a cause of a significant proportion of the bullying which takes place. This is true both for illicit and prescription drugs”.⁴⁴⁰

Almost one in 10 people (8%) reported they had developed a drug problem since entering prison.⁴⁴¹

One in five people at Maghaberry prison (19%) tested positive for drugs—significantly higher than the prison service’s target of 12%. A further 9% refused to take a mandatory test.⁴⁴²

Treatment and conditions

Ongoing staff shortages at Maghaberry prison remain a problem. Despite improvements in the stability and predictability of the prison regime, significant numbers of people were locked in their cells during the day and there is still an over-reliance on agency staff.⁴⁴³

Catholics are more negative about their experience in prison than Protestants. Maghaberry prison has begun to conduct analysis after repeated calls by inspectors.⁴⁴⁴

At least ten people were held in solitary confinement in Maghaberry prison for over 100 days each in 2015—four were held for over a year and in one case a prisoner was held for five years.⁴⁴⁵

People in prison

Almost 40% of people reported that they had a problem with drugs when they came into prison—31% with prescription drugs.⁴⁴⁶

44% of people reported having a problem with alcohol when they came into prison.⁴⁴⁷

A total of 67% of all people in prison are on prescribed medication—80% at Maghaberry, 58% at Magilligan and 38% at Hydebank Wood Young Offender’s Centre. The levels of prescribing reflect the fact that prisoners tend to have poorer physical and mental health than the general population.⁴⁴⁸

34% of people entering prison have a literacy ability, and 51% have a numeracy ability, at a level broadly equated to that expected of a nine year old.⁴⁴⁹

434 The Prisoner Ombudsman for Northern Ireland (2017) Annual report 2016–17, Belfast: The Prisoner Ombudsman for Northern Ireland

435 Department of Justice website, accessed on 12 October 2017, available at <https://www.justice-ni.gov.uk/news/prisoner-death-magilligan> and <https://www.justice-ni.gov.uk/news/death-custody>

436 Kearney, V. (2017) BBC News, ‘Maghaberry Prison: Concern for vulnerable inmates’, available at <http://www.bbc.com/news/uk-northern-ireland-41005688>

437 Criminal Justice Inspection Northern Ireland (2017) Report on an unannounced visit to Maghaberry Prison, 3–4 April 2017, Belfast: CJINI

438 McCracken, N., (2016) The Detail, ‘Over a thousand ambulance call outs to Northern Ireland’s prisons’, available at <http://www.thedetail.tv/articles/an-ambulance-a-day-at-northern-ireland-s-prisons>

439 Criminal Justice Inspection Northern Ireland (2014) The safety of prisoners held by the Northern Ireland Prison Service, Belfast: CJINI

440 Ibid.

441 Ibid.

442 Fagan, M. (2017) The Detail, ‘Maghaberry prison most afflicted by drug misuse’, available at <https://www.thedetail.tv/articles/maghaberry-prison-most-afflicted-by-drug-misuse>

443 Criminal Justice Inspection Northern Ireland (2017) Report on an unannounced visit to Maghaberry Prison, 3–4 April 2017, Belfast: CJINI

444 Ibid. and Criminal Justice Inspection Northern Ireland (2015) Report on an unannounced inspection of Magilligan Prison, Belfast: CJINI

445 McCracken, N., (2016) The Detail, ‘Major concerns over long-term solitary confinement in Northern Ireland prisons’, available at <http://www.thedetail.tv/articles/a-prison-within-a-prison-northern-ireland-inmates-held-for-years-in-solitary-confinement>

446 Criminal Justice Inspection Northern Ireland (2014) The safety of prisoners held by the Northern Ireland Prison Service, Belfast: CJINI

447 Ibid.

448 Ibid.

449 Northern Ireland Prison Service (2014) Building for the future—Northern Ireland Prison Service estate strategy, Belfast: Department of Justice

9% of the prison population are foreign nationals—nearly two-thirds (64%) are on remand.⁴⁵⁰

Women in prison

On 17 November 2017 there were 60 women in prison in Northern Ireland.⁴⁵¹

Women accounted for 8% of receptions into prison in 2016.⁴⁵²

Receptions to prison increased by 30% for women between 2014 and 2016—whilst men's rose by 4%. Much of the increase has been due to women defaulting on fines (up from 7 in 2014 to 71 in 2016).⁴⁵³

Three-quarters of women entering prison to serve a sentence are there for non-violent offences. The majority are for theft or criminal damage.⁴⁵⁴

More than half of women surveyed at Ash House, Northern Ireland's only women's prison, said they had felt unsafe at some time. Inspectors said that this was likely to have been because of the complex mix of the population, which includes young men on the same site, and the availability of drugs.⁴⁵⁵

Six in 10 women in prison surveyed said they had children under the age of 18. A third said it was difficult or very difficult for family and friends to visit, a further quarter (24%) said they didn't receive visits.⁴⁵⁶

Children and young adults

139 children (aged 10–17) entered custody in 2016–17, the lowest number for at least eight years. 23 children were held in custody on average.⁴⁵⁷

The vast majority (89%) were boys—only 15 girls entered custody in 2016–17.⁴⁵⁸

Most children in custody are there on remand—accounting for two-thirds (65%) of the population.⁴⁵⁹

Nearly four in 10 children in custody (39%) were in care—they accounted for nearly half of all receptions into custody in 2016–17.⁴⁶⁰

Inspectors have raised concerns that children are being inappropriately placed in custody at times of crisis when no alternative accommodation is available—at a cost of around £9.3m per year.⁴⁶¹

159 young adults (aged 18–20) entered custody in 2016 to serve a sentence.⁴⁶²

Six in 10 (61%) said they had felt unsafe at some time—over a quarter (27%) told inspectors they currently felt unsafe.⁴⁶³

Rehabilitation and resettlement

37% of adults released from custody went on to be reconvicted within a year. More than half (55%) of those who reoffended had done so within the first three months of release; over three-quarters (79%) had within six months.⁴⁶⁴

Over a third of people released from prison (36%) had no confirmed accommodation to go to on release.⁴⁶⁵

Of the 39 children released from custody, 28 committed a proven reoffence—20 reoffended within the first three months.⁴⁶⁶

⁴⁵⁰ Northern Ireland Prison Service (2017) Analysis of NIPS Prison Population from 01/07/2016 to 30/09/2017, Belfast: Department of Justice

⁴⁵¹ Northern Ireland Prison Service, situation report for 17 November 2017, accessed on 5 December 2017, available at <https://www.justice-ni.gov.uk/articles/weekly-situation-reports-october-2015>

⁴⁵² Table 7, Crone, E. (2017) The Northern Ireland Prison Population 2016 and 2016/17, Belfast: Department of Justice

⁴⁵³ Ibid.

⁴⁵⁴ Table 11, Ibid.

⁴⁵⁵ National Preventive Mechanism (2016) Report on an unannounced inspection of Ash House, Hydebank Wood women's prison, Belfast: Criminal Justice Inspection Northern Ireland

⁴⁵⁶ Ibid.

⁴⁵⁷ Table 1 and Figure 1 data, Spain, A. and McCaughey, J. (2017) Youth Justice Agency annual workload statistics 2016/17, Belfast: Youth Justice Agency

⁴⁵⁸ Table 9, Ibid.

⁴⁵⁹ Table 1, Ibid.

⁴⁶⁰ Table 12 and 6, Ibid.

⁴⁶¹ Criminal Justice Inspection Northern Ireland (2015) An announced inspection of Woodlands Juvenile Justice Centre, Belfast: CJINI

⁴⁶² Table 8, Crone, E. (2017) The Northern Ireland Prison Population 2016 and 2016/17, Belfast: Department of Justice

⁴⁶³ Criminal Justice Inspection Northern Ireland (2016) Report on an unannounced inspection of Hydebank Wood secure college, Belfast: Criminal Justice Inspection Northern Ireland

⁴⁶⁴ Table 8 and 2b, Duncan, L. and Damkat, I. (2017) Adult and youth reoffending in Northern Ireland (2014/15 cohort), Belfast: Department of Justice

⁴⁶⁵ Northern Ireland Prison Service (2017) Prisons 2020, Belfast: Department of Justice

⁴⁶⁶ Table 8 and 2c, Duncan, L. and Damkat, I. (2017) Adult and youth reoffending in Northern Ireland (2014/15 cohort), Belfast: Department of Justice.

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