These ‘Bromley Briefings’ are being produced in memory of Keith Bromley, a valued friend of PRT and allied groups concerned with prisons and human rights. His support for refugees from oppression, victims of torture and the falsely imprisoned has made a difference to many people’s lives. The Prison Reform Trust is grateful to the Bromley Trust for supporting the production of this briefing paper.
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Reduced crime, fewer victims, more effective community solutions, less prison – is penal reform in prospect?

When the new justice secretary, Ken Clarke, was last in charge of prisons and penal policy, as home secretary, the average prison population in England and Wales (1992 – 1993) was 44,628. That figure now stands at over 85,000 – a number Ken Clarke described after his appointment as “extraordinarily high”. On 15 June he announced ‘a full assessment of sentencing and rehabilitation policy’.

It won’t take long to determine how and why things went wrong. The social and economic costs of populist policy, increasingly early recourse to custody and inflation in sentencing have been immense. In the current climate it would be a form of economic madness to allow the prison population to continue to spiral out of control.

Despite its exorbitant cost, £45,000 per prisoner per year plus £170,000 to build and maintain each new place, prison has a poor record for reducing reoffending. Half of all adults and almost three quarters of young people are reconvicted within one year of being released. The National Audit Office estimates that reoffending by all recent ex-prisoners costs the taxpayer up to £13 billion a year.

More pressing, and more important, is how to put matters right. Solutions can be drawn from thorough-going government reviews of the justice system conducted over the last ten years. The Haliday sentencing review identified fairness and proportionality as cornerstones of the justice system. It recommended sparing and appropriate use of custody and an expansion of the 'intermediate estate' including improved bail accommodation and the provision of halfway housing.

The Social Exclusion Unit report on preventing reoffending by ex-prisoners pre-figured the 'rehab revolution' by calling for improvements in resettlement, supervision and support on release. It recommended removing still-standing blocks to rehabilitation, like the inadequate discharge grant, and proposed amending the Rehabilitation of Offenders Act.

The Corston review could still transform the justice system for vulnerable women. Thirty eight 'one-stop' women’s centres are up and running with measurable outcomes that should lead to sustained funding. Lord Bradley’s review of diversion is unequivocal about the success of diversion into mental health and social care. The Justice Committee has outlined how local and national government can draw on lessons from abroad where justice reinvestment and prisoner re-entry programmes, driven by economic necessity in many states in America, have had considerable success at reducing crime and rates of reoffending. Closer to home, restorative justice with young people in Northern Ireland has delivered a reduction in youth crime, a drop in child custody and a 90% victim satisfaction rate. Integrated offender management pilots in parts of England and Wales have achieved impressive results and are waiting to be rolled out nationally.

A breathing space from obsessive concentration on increasing prison capacity at all costs would give the government time to restructure the system. Local authorities, voluntary organisations, police and probation services must work more closely together to develop community solutions to crime that inspire public and judicial confidence. It is not difficult to improve on a flawed system in which 66% of people enter prison to serve less than a year and, after a few weeks or months, leave homeless, jobless, out of touch with their families, further in debt, and ready to offend again.

There is broad public and Parliamentary consensus on investing in getting children out of trouble and nipping youth crime in the bud, diverting addicts and people who are mentally ill into effective treatment as well as informing and supporting victims, transforming prisoner rehabilitation and cutting reoffending on release.

The sentencing review should rationalise the rafts of new offences and mandatory penalties much criticised by judges and magistrates and examine the explosion in indeterminate sentencing – from 3,000 indeterminate sentences in 1992 to 12,822 in March 2010. The high number of recalls for technical breach of license and any unnecessary use of custodial remand must be addressed. Differential rates in use of custody up and down the country should be examined alongside availability of effective community measures.

In a debate on prison policy in June 2007 Ken Clarke called for “a change of culture in which the platitudes about community sentences and making prison only for those who need it are turned into reality by returning proper discretion to the courts and ensuring that prisons are used only for violent, dangerous and recidivist criminals in conditions in which there is some hope that some of them will be rehabilitated”. As a moderate prescription for reforming our overcrowded and underperforming prison system the coalition government could do a lot worse.
Prison overview

Current situation

On 18 June 2010, the prison population in England and Wales was 85,085.1 When justice secretary Ken Clarke was last home secretary from 1992-93, the average prison population was 44,628.2

In France, with the same population, the figure is 59,655 and in Germany with over 20 million more people, 72,043.3

England and Wales has an imprisonment rate of 154 per 100,000 of the population. France has an imprisonment rate of 96 per 100,000 and Germany a rate of 88 per 100,000.4

The Labour government planned to increase the net capacity of the prison estate to 96,000 by 2014.5

This would have taken the rate of imprisonment in England and Wales to 178 per 100,000 of population – the highest in Western Europe. It would also be beyond Bulgaria (124), Romania (126), and Slovakia (151).6

Approximately 70% of the increase in demand for prison places between 1995 and 2005 is estimated to have arisen owing to changes in custody rate and sentence length.7

With no change in criminal justice policy, by the end of June 2015 the demand for prison spaces was projected to increase to between 83,300 and 93,900.8

On 13 June 2010, Ken Clarke questioned ‘why the prison population [is] twice what it was when I was home secretary,’ and announced two days later a ‘full assessment of sentencing and rehabilitation policy’.9

Trends

Between 1995 and 2009, the prison population in England and Wales grew by 32,500 or 66%. Almost all of this increase took place within those sentenced to immediate custody (78% of the increase) and those recalled to prison for breaking the conditions of their release (16%).10

Since 1997, 27,000 additional prison places have been provided – 6,700 of them since April 2007.11

The number of people found guilty by the courts has fallen from 1,519,000 in 1991 to 1,342,800 in 2008; and the number found guilty of indictable offences has fallen from 347,000 in 1991 to 315,000 in 2008.12

134,000 people entered prison in England and Wales in 2008 – up by 7% from 2007.13

In 2008, 57,417 people were remanded into custody to await trial.14 In 2008, 2,602 children who were remanded in custody were subsequently acquitted or given a community sentence.15

28,892 people entered prison in 2008 to serve sentences up to and including three months. This is up 16% from 2007.16

On 4 June 2010, there were 6,189 prisoners serving indeterminate sentences for public protection (IPP).17

On 19 January 2010, 2,468 of those sentenced to imprisonment for public protection were being held beyond their tariff expiry date.18 By 5 February 2010 there were 476 people serving IPP sentences who were two years or more over tariff expiry.19
The number of women in prison has increased by 44% over the past decade, compared to 26% for men. On 18 June 2010 the women’s prison population stood at 4,282.

At the end of April 2010 there were 10,004 young people aged 18–20 years old in prisons in England and Wales. There were 2,116 children under 18 years old in custody, 493 fewer than a year ago.

Research by the Prime Minister’s Strategy Unit says that a 22% increase in the prison population since 1997 is estimated to have reduced crime by around 5% during a period when overall crime fell by 30%. The report states: ‘there is no convincing evidence that further increases in the use of custody would significantly reduce crime’.

Prison has a poor record for reducing reoffending – 49% of adults are reconvicted within one year of being released – for those serving sentences of less than 12 months this increases to 61%. For those who have served more than 10 previous custodial sentences the rate of reoffending rises to 79%

74% of children released from custody in 2008 reoffended within a year.

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

The prison system as a whole has been overcrowded in every year since 1994.

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

Number of people sentenced to immediate custody 1998 - 2008


22. NOMS, Prison Population and Accommodation Briefing for 18 June 2010
29. Hansard HC, 21 April 2009, c622W
In 2008–09 the cost to purchase places and regimes for children and young people in the secure estate was £297,952,000. This equates to 63% of the Youth Justice Board’s annual budget.39

In 2008–09, the cost of looking after short-sentenced prisoners (sentences of less than 12 months), not including education and healthcare, was £286 million.40

The average construction cost for the ‘core capacity programme’ (not all new build), including costs of providing ancillary facilities, and excluding running costs, is approximately £170,000 per place across the lifetime of the accommodation.41

The total 2009–10 budget for public prisons is £1,980m and for private prisons is £284m.42 Private prisons hold 11.3% of the total prison population and receive 12.5% of the overall prisons budget.

In 2008–09 the prison service’s capital expenditure was 18% over budget.43

Prison service inquest costs since April 2004 total £6,080,000. Costs have risen from £901,000 in 2004–05 to £1,962,000 in 2007–08.44

To meet the 3% year-on-year efficiency savings, the Prison Service decided, with ministerial support, to reduce the core week for prisoners as from April 2008. Prisoners are now locked up for half-a-day more thus reducing constructive activity and time outside cells.45

In 2007–08, reoffending by all recent ex-prisoners cost the economy between £9.5 billion and £13 billion and as much as three times that in lost productivity.46

It is estimated that there are 160,000 children with a parent in prison each year. This is around two and a half times the number of children in care, and over six times the number of children on the Child Protection Register.30

During their time at school 7% of children experience their father’s imprisonment.31 In 2006, more children were affected by the imprisonment of a parent than by divorce in the family.32

Costs

According to government figures, the overall cost of the criminal justice system has risen from 2% of GDP to 2.5% over the last 10 years. That is a higher per capita level than the US or any EU country.33

Total penal expenditure increased from £2.843bn in 1995 to £4.325bn in 2006 (all at 2006 prices).34 In 2009-10 it was £4.385bn.35

The overall average cost per prison place, including related costs met by the National Offender Management Service, but excluding expenditure met by other government departments such as health and education, is £45,000.36

The cost of the crown court process of imposing a prison sentence is around £30,500, comprising court and legal costs.37

The cost per place per year in a secure children’s home is £215,000; in a secure training centre it is £160,000 and in a young offender institution it is £60,000.38

6 www.prisonreformtrust.org.uk
quarters of this cost can be attributed to former short-sentenced prisoners: some £7 billion to £10 billion a year.\textsuperscript{46}

Imprisoning mothers for non-violent offences carries a cost to children and the state of more than £17 million over a 10 year period.\textsuperscript{47}

People in prison: a snapshot

The average age of those sentenced to custody in 2006 was 27. A quarter was aged 21 or under.\textsuperscript{48}

71\% of children in custody have been involved with, or in the care of, social services before entering custody.\textsuperscript{49}

86\% of boys and 79\% of girls in custody aged between 15 and 18-years-old have at some time been excluded from school.\textsuperscript{50}

23\% of young offenders have learning difficulties (IQ below 70) and 36\% borderline learning difficulties (IQ 70–80\%).\textsuperscript{51}

Of all the women who are sent to prison, 37\% say they have attempted suicide at some time in their life. 51\% have severe and enduring mental illness, 47\% a major depressive disorder, 6\% any psychosis and 3\% schizophrenia.\textsuperscript{52}

Over half the women in prison report having suffered domestic violence and one in three has experienced sexual abuse.\textsuperscript{53}

On 30 June 2009 just under 27\% of the prison population, 22,292 prisoners, was from a minority ethnic group.\textsuperscript{54} This is the

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

47. new economics foundation (2008) Unlocking value: How we all benefit from investing in alternatives to prison for women offenders, London: new economics foundation
48. Hansard HC, 8 January 2008, c432W
same proportion as in the previous year (2008), but is an increase on 2005 (25%). This also compares to one in 11 of the general population.

At the end of March 2010 there were 11,367 foreign national prisoners (defined as non-UK passport holders), 13% of the overall prison population.56

The number of sentenced prisoners aged 60 and over rose by 142% between 1998 and 2008.57

According to the Ministry of Defence, around 3% of the prison population in England and Wales are former armed forces personnel. This equated to over 2,500 people on 6 April 2010.58

20–30% of all offenders have learning disabilities or difficulties that interfere with their ability to cope with the criminal justice system.59

72% of male and 70% of female sentenced prisoners suffer from two or more mental health disorders. 20% of prisoners have four of the five major mental health disorders.60

In HM Inspectorate of Prison surveys, 15% of people in prison reported a disability.61

50% of the total prison population are Christian (of whom 55% are Anglican, 34% Roman Catholic, 8% other Christian and 3% Free Church), 12% are Muslim, 2% are Buddhist and 33% report having no religion.62

Performance and plans

Prison performance is formally monitored by the Prison Service against its strategic priorities of decency; diversity and equality; maintaining order and control; organisational effectiveness; public protection; reducing reoffending; and security.63 Prisons are also monitored by HM Chief Inspector of Prisons using ‘expectations’ criteria: safety, respect, purposeful activity, and resettlement.64

In an analysis of prison characteristics that predict prisons being assessed as performing ‘well’, the size of the prison was the most influential factor. In most cases the largest prisons performed least well against the tests of safety and respect, and overall.65

The average size of a prison’s population is 620. Following an extensive building programme on existing sites, 39 prisons now hold over 800 prisoners and 24 hold over 1,000.66

A prison with a population of 400 prisoners or under was four times more likely to perform ‘well’ than a prison with a population of over 800.67

Public prisons were over five times more likely to perform well for safety than private prisons.68

7,500 places are planned be delivered through five new prisons each holding 1,500 offenders. Plans for two of these prisons are now underway and they will both be privately built and managed.69

58. Hansard HC, 12 January 2010, c934W
60. Paul Goggins, former minister for prisons and probation speaking in a debate on prisons and mental health, Hansard, 17 March 2004
65. HM Inspectorate of Prisons (2009) The prison characteristics that predict prisons being assessed as performing ‘well’, London: HMIP
66. NOMS Monthly Bulletin – April 2010
67. HM Inspectorate of Prisons (2009) The prison characteristics that predict prisons being assessed as performing ‘well’, London: HMIP
68. Ibid.
On 7 June 2010 the total population of prisoners in custody in Scotland stood at 7,957.70

The official capacity for the total of all 15 Scottish prisons stands at 7,483. This puts the occupancy level at 106.2%.71

45% of prisoners in Scotland reported that high prisoner numbers have had an impact on both their safety and privacy in their cell, access to medical services (62%), opportunities for training and education (61%), and quality of life generally (58%).72

The imprisonment rate for Scotland stands at 149 per 100,000.73

Young adults (18-21) make up 11% of the prison population.74

87% of the population of Polmont Young Offenders Institute in Scotland have been there before their present sentence.75

Since 1999–00 the average daily female prison population in Scotland has increased by 97%. The 2008–09 female prison population was 413, an increase from 371 in 2007–08.76

The number of custodial sentences imposed by courts during 2009–09 was just under 16,900, up 1% on 2007–08 and the highest figure recorded during the last 10 years.77

In Scotland, the average daily remand population in 2008–09 was 1,678, up 8% on the previous year.78

In 2008–09 the number of women remanded in custody stood at 2,338, nearly double the figure for 1999–2000.79

The average daily population of prisoners in Scotland recalled from supervision or licence has risen substantially, increasing by 18% to 614 in 2007–08, from 519 in 2006–07.80

Commenting on proposals to introduce a statutory presumption against courts imposing prison sentences of six months or less,81 Justice Secretary Kenny MacAskill said: 'Short sentences simply don’t work. They are ineffective and of no practical benefit to communities.’82

In February 2008, Scottish Justice Secretary, Kenny MacAskill announced a decision to end the use of custodial remand for children under the age of 16.83

HM Chief Inspector of Prisons for Scotland states in his latest annual report that ‘prison is no place for a child’.84

1% of Scottish children have been in care; 50% of Scottish prisoners have been in care; 80% of Scottish prisoners convicted of violence have been in care.85

The annual cost per prisoner place for 2008–09 was £44,447.86

Call charges from Scottish prisons have reduced from 1 April 2010. Calls to UK landlines have fallen by 23% to 8.4 pence per minute and calls to mobiles have dropped 63% to 23.5 pence per minute.87

81% of prisoners in Scotland reported positively on access to family and friends and the ability to arrange visits. However,
61% of prisoners reported that their visitors experienced problems when visiting them in prison. The problem most frequently reported was the distance of the prison from their home (69%); this was followed by the cost involved in getting to the prison (57%).

45% of Scottish prisoners reported being under the influence of drugs at the time of their offence, and 19% reported that they committed their offence to get money for drugs.

20% of respondents to the 2009 Scottish Prison Service prisoner survey had been seen by mental health staff.

50% of Scottish prisoners reported being drunk at the time of their offence. 24% reported that drinking affected their ability to hold down a job and 38% noted that their drinking affected their relationship with their family.

According to Justice Secretary Kenny MacAskill, two thirds of the women at Cornton Vale, Scotland’s only all-women prison, were serving sentences of six months or less. MacAskill said they had ‘typically been jailed for low level offences’.

There was a 140% increase in the average number of prisoner self-harm attempts across Scottish prisons from 2004 to 2008.

Over the past 10 years there has been a 6% increase in prisoners reoffending within two years of release, the current reoffending rate for 2009 stands at 66%.

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

There are two privately financed designed, built, and operating prisons in Scotland; Serco-run Kilmarnock and Kalyx-run Addiewell. Combined they hold some 1,340 prisoners, approximately 16.5% of Scotland’s prisoner population.

The Scottish prison population is predicted to rise to 9,300 by 2015.

The Scottish Prison Service has awarded a contract to Carillion Construction Limited to design and construct a new prison in Bishopbriggs. The prison, which will be known as HMP Low Moss, is the first of four new prisons being built under the Scottish government’s prison modernisation programme.

HMP Low Moss will be built on the site of the former prison of the same name which closed in 2007. The new prison will provide 700 prisoner places and is expected to open in 2012. Construction of the new prison is expected to start on site later this year following completion of the planning process with East Dunbartonshire Council.

The design and construction works will cost around £116m and will be completed around the end of 2011.

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88. Scottish Prison Service, 12th prisoner survey 2009
89. Ibid.
90. Ibid.
91. Ibid.
93. Scottish Parliament, written answers 28 April 2009, S3W-23051
94. Equality and Human Rights commission, March 2009
97. BBC News online, 25 November 2005
On 12 April 2010 policing and criminal justice powers were devolved from Westminster to the Northern Ireland Assembly. 99

On the 14 June 2010 the total prison population for Northern Ireland stood at 1,484. This figure is a 22% increase from 1999. 100

The imprisonment rate for Northern Ireland is 80 per 100,000. 101

The current combined design capacity for the three Northern Ireland prison services is 1,775, meaning the current occupancy level stands at 82%. 102

A high proportion of people in prison in Northern Ireland are being held on remand. The total percentage for the remand population 2007 was 38.2%, compared to 16.5% for England and Wales, and 19.5% for Scotland. 103

There has been considerable increase in the number of foreign national prisoners held in NI prisons, from 181 committals in 2006–07 to 547 in 2008–09 (a 202% increase). 104

From 1 April 2009 electronic monitoring became available for courts as an alternative to custody and remand, in some circumstances. 105

The Northern Ireland prison service currently has a capital works building budget of approximately £60 million to cover April 2008–March 2011. The budget is set to improve the overall prison estate, as well as to provide 400 extra places in prisons, including raising HMP Magilligan’s capacity to 800. 106

In 2007–08 the average cost per prisoner place for 2007–08 at £81,030. For the total 1,445 people in custody during this time period the annual cost for the Northern Ireland prison service was £117,088,350. 107

The number of people sent to prison throughout 2007 for failure to pay fines was over 1,700; every day throughout this year 25–30 individuals were incorporated into the prisoner population. The cost of holding these people in custody amounts to over £1 million for the prison service. 108

In 2006 the combined reoffending rate for youth conferencing, a restorative justice programme in Northern Ireland, was 38% – this compared to 52% for community sentences and 71% for custodial sentences. 109

Victims were present in two-thirds of all conferences held in 2008–09 – 89% expressed satisfaction with the conference outcome and 90% said they would recommend restorative justice to a friend. 110

The number of children sentenced to immediate custody in Northern Ireland dropped from 139 in 2003 to 89 in 2006. 111

The prison population is expected to rise in Northern Ireland by 6%, year on year for the next five years, and by 5% in following years, with the population of life sentenced prisoners up by 50% within 10 years. 112

On 21 June 2010 Justice Minister David Ford announced Dame Anne Owers as chair of the team which will review the conditions of detention, management and oversight of prisons in Northern Ireland. 113

102. Ibid.
105. Hansard HC, 9 March 2009, c60W
106. Hansard HC, 24 June 2009, cWA293
107. Hansard HC, 21 January 2009, c1453W
110. Ibid.
111. Ibid.
112. Interview with Robin Masefield, Director General of the Northern Ireland Prison Service, 12 February 2006 – Belfast Telegraph
Prison overcrowding is defined as a prison containing more prisoners than the establishment's certified normal accommodation (CNA). 'CNA, or uncrowded capacity, is the Prison Service's own measure of accommodation. CNA represents the good, decent standard of accommodation that the service aspires to provide all prisoners.'114

The limit to overcrowding in prison is called the operational capacity. The Prison Service defines it as: ‘the total number of prisoners that an establishment can hold without serious risk to good order, security and the proper running of the planned regime.’115 For the first time, figures showed that on 22 February 2008, at 82,068 the prison population breached this safe overcrowding limit.116

The prison population was 110% of the ‘in use CNA’ (77,163) on 30 April 2010.117

HM Inspectorate of Prisons found that healthcare beds were often part of a prison’s CNA when this should not be the case. Admission to in-patient care should only be on assessment of clinical need.118

The end of custody license scheme was withdrawn on 12 March 2010. This was expected to increase the prison population by an extra 1,000–1,200 people by the end of April 2010.119

At the end of May 2010, 78 of the 137 prisons in England and Wales were overcrowded.120

In 2008–09 an average of 20,452 prisoners were either doubled up in cells designed for one or held three in a cell designed for two. This accounts for 24.7% of the prison population.121 This is up from 9,498 in 1996–2007.

In 2008, 2,195 in-cell assaults were recorded: 18% of prisoner-on-prisoner assaults.122

Approximately 70% of the increase in demand for prison places between 1995 and 2005 is estimated to have arisen owing to changes in custody rate and sentence length.123

There were 270,000 prisoner transfers between July 2007 and June 2009 – an average of 2,600 a week.124

The Prisons and Probation Ombudsman (PPO) has highlighted the damaging effects of prisoners being transferred on ‘overcrowding drafts’. Prisoners are often moved from jails that they know and are known, to other busy prisons where they may feel less safe. A number of PPO investigations have drawn attention to the potentially tragic consequences of this.125

On 12 July 2007, Jack Straw, then incoming Secretary of State for Justice, stated: ‘we cannot just build our way out of overcrowding’. He called for a ‘national conversation’ on the use of prison and said he would still want this to take place even if he could ‘magic an extra 10,000 places’.126

The 10 most overcrowded prisons in England and Wales, May 2010

<table>
<thead>
<tr>
<th>Prison</th>
<th>In Use CNA</th>
<th>Operational Capacity</th>
<th>Population</th>
<th>% Overcrowded</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preston</td>
<td>453</td>
<td>842</td>
<td>763</td>
<td>168%</td>
</tr>
<tr>
<td>Northallerton</td>
<td>137</td>
<td>242</td>
<td>227</td>
<td>166%</td>
</tr>
<tr>
<td>Shrewsbury</td>
<td>184</td>
<td>340</td>
<td>306</td>
<td>166%</td>
</tr>
<tr>
<td>Swansea</td>
<td>240</td>
<td>422</td>
<td>394</td>
<td>164%</td>
</tr>
<tr>
<td>Leicester</td>
<td>210</td>
<td>392</td>
<td>342</td>
<td>163%</td>
</tr>
<tr>
<td>Exeter</td>
<td>316</td>
<td>545</td>
<td>509</td>
<td>161%</td>
</tr>
<tr>
<td>Allcourtse</td>
<td>794</td>
<td>1,324</td>
<td>1,262</td>
<td>159%</td>
</tr>
<tr>
<td>Dorchester</td>
<td>146</td>
<td>260</td>
<td>230</td>
<td>158%</td>
</tr>
<tr>
<td>Doncaster</td>
<td>713</td>
<td>1,145</td>
<td>1,102</td>
<td>155%</td>
</tr>
<tr>
<td>Canterbury</td>
<td>195</td>
<td>314</td>
<td>301</td>
<td>154%</td>
</tr>
</tbody>
</table>

114. The Prison Service, Prison Service Order 1900, Certified Prisoner Accommodation
115. Ibid.
117. NOMS Monthly Bulletin – April 2010
119. Hansard, HC, 19 June 2009, c541W
120. NOMS Monthly Bulletin – April 2010
121. NOMS, Safer Custody News, July/August 2009
125. Rt Hon Jack Straw, The Times, 12 July 2007
The number of people found guilty by the courts has fallen from 1,519,000 in 1991 to 1,342,800 in 2008; and the number found guilty of indictable offences has fallen from 347,000 in 1991 to 315,000 in 2008.\textsuperscript{127}

Approximately 70\% of the increase in demand for prison places between 1995 and 2005 is estimated to have arisen owing to changes in custody rate and sentence length.\textsuperscript{128}

From 2000 to 2008 the average time served in prison increased by 14\% (from 8.1 to 9.3 months) for those released from determinate sentences. The proportion of the prison population serving indeterminate sentences (life sentences and IPPs) increased from 9\% in 1995 to 18\% in 2010. If these longer sentences were included, the average time served would be higher.\textsuperscript{129}

There were 71,091 sentenced prisoners at 30 April 2010, up 2,776 from a year earlier.\textsuperscript{130}

Those serving indeterminate sentences increased by 7\% (up 898) and those serving sentences of 4 years or more increased by 6\% (up 1,297). People serving indefinite sentences make up 18\% of the sentenced prison population.\textsuperscript{131}

The number of prisoners serving a sentence of less than six months rose 12\% between April 2009 and April 2010 (up 490). There was a fall in numbers for people serving a sentence equal to and greater than six months and less than 12 months(down 4\%).\textsuperscript{132}

The sentencing guidelines working group, when looking at sentences given for four different offences in the crown court, found that 71 out of these 222 sentences were above the guideline ranges for the relevant level of seriousness.\textsuperscript{133}

98,820 people entered prison under sentence in 2008, up 9\% on the previous year and 15\% higher than in 1998.\textsuperscript{134}

This rise was proportionally far greater for women (up 66\%) than for men (up 8\%). Among women there were large rises in theft and handling, and breaches of court orders.\textsuperscript{135}

The percentage of people sentenced to immediate custody was 7\% in 2008. This is a rise of 0.6 percentage points on 2007.\textsuperscript{136}

Magistrates’ courts accounted for 50,300 sentences of immediate custody, down 2\% on 2007. The percentage of people sentenced to immediate custody for all offences was 4\%, slightly higher than in 2007 but a fall from 5\% in 2001.\textsuperscript{137}

At magistrates’ courts the average sentence length for sentences of immediate custody was 2.7 months in 2008, the lowest figure in the past decade.\textsuperscript{138}

The largest number of immediate custodial sentences in 2008 were given for theft and handling stolen goods – 21,000.\textsuperscript{139}

At the crown court there were 49,200 sentences of immediate custody, up 5,100 or 12\%. The percentage of people sentenced to immediate custody at the crown court was 55\%, a rise of one percentage point from 2007 but down from 62\% in 2000.\textsuperscript{140}

\textsuperscript{131} Ibid. \textsuperscript{132} Ibid.
\textsuperscript{133} Hansard, WH 5 February 2009, c328WH
\textsuperscript{135} Ibid.
\textsuperscript{137} Ibid.
\textsuperscript{138} Ibid.
\textsuperscript{139} Ibid.
\textsuperscript{140} Ibid.
28,892 people entered prison in 2008 to serve sentences up to and including three months. This is up 16% from 2007.  

38% of women entering prison under sentence serve sentences of up to and including three months, compared to 28% of men.

Women serve shorter prison sentences than men and for less serious offences. While prisoners serving sentences of six months or under make up 9% of the total prison population, women serving these short sentences make up 16% of the female prison population.

People serving sentences of six months or under made up over half of the 98,820 received into prison under sentence in 2008. Those serving a year or under make up 66% of those received into prison under sentence.

Of those in prison on short sentences of six months or under, 42% have 15 or more previous convictions, 15% between 11 and 14, 16% between seven and 10, and only 5% have no previous convictions. 12% of women serving sentences of six months or under have no previous convictions.

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

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

Ministry of Justice (2010), Population in Custody, England and Wales, April 2010
Indeterminate sentences

The number of prisoners serving life sentences and indeterminate sentences for public protection (IPP) has increased considerably in recent years. There were 12,918 people serving indefinite sentences at the end of April 2010, a rise of 7% on the year before. This compares with fewer than 4,000 in 1998 and 3,000 in 1992.

There were 12,918 people serving indefinite sentences at the end of April 2010, a rise of 7% on the year before. This compares with fewer than 4,000 in 1998 and 3,000 in 1992.

Life sentences

520 people were given a life sentence in 2008, a slight rise from 490 in 2007.

At the end of 2007 there were 35 prisoners in England and Wales serving a ‘whole life’ tariff.

The average time served for those given a mandatory life sentence has increased from 13 years in 1999 to 17.5 years in 2009.

As at 1 September 2008, England and Wales had by far the highest number (6,922) of life sentenced prisoners in Europe. It had more than Turkey (2,571), Germany (1,985), Italy (1,396) and France (531) combined.

Indeterminate sentences for public protection (IPP)

On 4 June 2010, there were 6,189 prisoners serving IPP sentences.

On 19 January 2010, 2,468 of those sentenced to imprisonment for public protection were being held beyond their tariff expiry date. By 5 February 2010 there were 476 people serving IPP sentences who were two years or more over tariff expiry.

Since 2005 just 133 people serving IPP sentences have been released from custody, 33 of whom have been recalled.

Changes have been made to the legislation – which came into effect on 14 July 2008 – limiting the availability of IPP sentences to those with a minimum tariff of two years and over. This should reduce the numbers sentenced to an IPP by up to an estimated 30%. However, those sentenced to an indeterminate sentence are likely to stay well beyond tariff.

Many people given an IPP sentence under the old legislation, subsequently amended, are still in custody.

On 9 October 2009, there were 1,225 people serving IPP sentences who were being held beyond their tariff of two years or less. The average time this group has been held beyond tariff was 486 days.

As of 16 December 2009 over half of those IPP prisoners who were over tariff were still awaiting a Parole Board review of their case or a decision from a review.

On 19 January 2010, of the 2,468 people being held beyond tariff, 466 had completed no accredited offending behaviour programmes. 34% of the total number of people serving IPP sentences had not completed an accredited programme.

HM Chief Inspectors of Prisons and Probation have stated that ‘the current situation is not sustainable’. IPP prisoners now constitute around one in 15 of the total

159. Letter from Lord Bach to Baroness Stern, 23 January 2010
160. Letter from Maria Eagle MP to Andrew Stunell MP, 19 January 2010
161. Hansard HC, 26 January 2010, c732W
prison population … Even with the recent changes in legislation, these numbers far exceed the capacity of the probation service and the prison system (and the Parole Board for that matter) to deliver the necessary quality of service.162

**HM Chief Inspectors of Prisons and Probation** have described those serving IPP sentences as ‘prisoners with many and complex needs, including mental health, learning disability and a risk of self-harm’.163

Nearly one in five IPP prisoners have previously received psychiatric treatment, while one in 10 is receiving mental health treatment in prison and one in five is receiving medication. One IPP prisoner in 20 is, or has been, a patient in a special hospital or regional secure unit.164

**Data from the Prison Service’s Safer Custody Group** also confirm that IPP prisoners have a raised incidence of self-harm.165

Three people serving IPP sentences took their own lives in 2009.166

Nearly 80% of IPP sentences for women surveyed by the Chief Inspectors of Prisons and Probation were for offences of arson, which is often an indicator of serious mental illness or self-harm.167

According to HM Chief Inspector of Prisons, many IPP prisoners remain unclear about the implications of their sentence. The Prison Service has not produced any information specifically for IPP prisoners.168

There is a significant shortage of accredited offender behaviour programmes for IPP prisoners, especially in local prisons. Only 68% of IPP prisoners have accessed at least one accredited offending behaviour programme.169 Many IPP prisoners attend their Parole Board hearing with little or nothing to show for their time in prison.170

Prisoners whom staff consider to be unsuitable to participate because of mental illness or emotional instability are often excluded from taking part in programmes entirely.171

Research by the Prison Reform Trust has found that there are a significant number of prisoners who, because they have a learning disability or difficulty, are excluded from aspects of the prison regime including offending behaviour programmes.172 A report by HM Chief Inspectors of Prison and Probation described this predicament – prisoners being unable to access the interventions they needed to secure their release as ‘kafka-esque’.173 The Joint Committee on Human Rights found, in response to evidence submitted by PRT, that ‘people with learning disabilities may serve longer custodial sentences than others convicted of comparable crimes’. The report went on to say that ‘this clearly breaches Article 5 ECHR (right to liberty) and Article 14 ECHR (enjoyment of ECHR rights without discrimination)’.174

According to HM Chief Inspectors of Prison and Probation, ‘life-sentenced prisoners, too, were increasingly angry and frustrated as short-tariff IPP prisoners were prioritised for scarce courses and programmes’.175

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166. Hansard HC, 8 March 2010, c97W
168. Correspondence from National Offender Management Service, 6 November 2009
169. Ibid.
172. Ibid.
People on remand

In 2008, **57,417 people were remanded into custody to await trial**. In the same year 44,773 people were remanded into prison convicted but awaiting sentence.\(^{176}\)

The remand population in prison at the end of April 2010 was **12,814**, down a fraction from the previous year. Within this total, the untried population decreased 6% to 7,980 and the convicted unsentenced population increased 8% to 4,834.\(^{177}\)

In 2008–09, **4,963 children under 18 were remanded in custody**. Of these, 985 spent between one and six months in custody on remand; 194 between six and 12 months; and four were held on remand in custody between 12 months and three years.\(^{178}\)

In 2007, **11,400 people remanded in custody were subsequently acquitted**.\(^{179}\)

In 2008, **2,602 children who were remanded in custody were subsequently acquitted or given a community sentence**.\(^{180}\)

An acquitted defendant is not automatically entitled to compensation, and it has been the exception rather than the rule for any compensation to be payable.\(^{181}\)

The average waiting time for those remanded into custody awaiting cases committed for trial at the crown court was **13 weeks**.\(^{182}\) This is up from 10 weeks in 2001.\(^{183}\)

Of those people remanded into custody in 2007, **30% went on to receive a non-custodial sentence**.\(^{184}\)

Just under two-thirds of people received into prison on remand awaiting trial are accused of non-violent offences. In 2008, 13% were remanded into custody for theft and handling of stolen goods.\(^{185}\)

In the year up to the end of April 2010 the number of women on remand rose **5% to 799**. Women on remand make up **18%** of the female prison population.\(^{186}\)

There has been a **27% increase in the number of women entering prison on remand awaiting trial between 1998 and 2008**. This compares to a **14% decrease for men in the same period**.\(^{187}\)

One fifth of children in custody in England and Wales are locked up on remand – approximately **600 at any one time**. The number of children imprisoned on remand has increased by 41% since 2000.\(^{188}\)

Use of the important alternative to custodial remand – remand to non-secure local authority accommodation – has declined by 43% in the last four years. In most areas of England and Wales there is no specialist accommodation for under-18-year-olds on bail or remand to non-secure local authority accommodation.\(^{189}\)

As at 1 April 2009 the average cost of placing a young person remanded to custody in a Secure Training Centre was **£209,000 per annum (excluding VAT)**.\(^{190}\)

According to research by the Office for National Statistics, more than a quarter of men on remand have attempted suicide at some stage in their life. For women remand...
prisoners the figure is even higher. More than 40% have attempted suicide before entering prison.191

Remand prisoners have a range of mental health problems. According to the Office for National Statistics more than three-quarters of men on remand suffer from a personality disorder. One in 10 have a functional psychosis and more than half experience depression. For women on remand, nearly two-thirds suffer from depression. Once again these figures are higher than for sentenced prisoners. Research has found that 9% of remand prisoners require immediate transfer to the NHS.192

**Remand prisoners, 16% of the prison population, accounted for half of self-inflicted deaths in 2008–09.**193

A significant proportion of those held on remand have been in prison previously. One study found that 65% of respondents had been remanded into custody before.194

**One in four men and half of all women on remand receive no visits from their family.**195

Research by the Prison Reform Trust found that prisons are failing to equip remand prisoners to prepare for trial. The study found that only 48% of prison libraries in jails holding remand prisoners stocked the standard legal texts that under Prison Service regulations they must provide.196

Remand prisoners are more likely than sentenced prisoners to have a history of living in unstable or unsuitable accommodation. Research by the National Association for the Care and Resettlement of Offenders (nacro) shows they are five times more likely to have lived in a hostel prior to imprisonment.197

Remand prisoners receive no financial help from the Prison Service at the point of release. They are also not eligible for practical support with resettlement from the Probation Service, even though they can be held on remand for as long as 12 months.198

More than two in three of all prisoners are unemployed when they go to jail. But research by nacro has found that remand prisoners are less likely than sentenced prisoners to have had a job before prison. The minority of remand prisoners who do have jobs are very likely to lose them whilst in prison.199

Remand population by offence type April 2010200

<table>
<thead>
<tr>
<th>Offence group</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Violence against the person</td>
<td>3,269</td>
</tr>
<tr>
<td>Other offences</td>
<td>1,956</td>
</tr>
<tr>
<td>Drugs offences</td>
<td>1,859</td>
</tr>
<tr>
<td>Robbery</td>
<td>1,393</td>
</tr>
<tr>
<td>Burglary</td>
<td>1,352</td>
</tr>
<tr>
<td>Sexual offences</td>
<td>1,100</td>
</tr>
<tr>
<td>Theft and handling</td>
<td>972</td>
</tr>
<tr>
<td>Fraud and forgery</td>
<td>443</td>
</tr>
<tr>
<td>Offence not recorded</td>
<td>405</td>
</tr>
<tr>
<td>Motoring offences</td>
<td>65</td>
</tr>
</tbody>
</table>

192. Ibid.
199. Ibid.

There was a total of 97,993 prisoner discharges in 2008–09.\textsuperscript{202}

The recall population rose by 5,300 between 1995 and 2009, and accounted for 16\% of the overall increase in prison population over the period. Changes to the law have meant that more offenders are liable to be recalled, and to spend longer in custody having been recalled.\textsuperscript{203}

There were 5,386 recall prisoners on 30 April 2010, down 356 from a year earlier.\textsuperscript{204}

In the five years to 2007, there has been a 350\% increase in the number of offenders recalled to prison for apparent breach of their conditions.\textsuperscript{205} This is despite the fact that the number of ex-prisoners on licence in the community has increased by less than 15\%. Rates of recall for those technically eligible rose from 53\% in 2000, to 86\% in 2004.\textsuperscript{206}

Recalled prisoners make up nearly 11\% of the population of local prisons.\textsuperscript{207}

In 2008–09, 11,840 determinate sentence offenders were recalled, an increase of 1\% on 2007–08.\textsuperscript{208}

Between April and June 2005, 2,100 people were recalled for a breach of their licence. Of these the largest proportion, 30\%, were ‘out of touch’, 18\% were breached for problems with their behaviour, 8\% for breaking their residency conditions and 18\% for ‘other reasons’. Only a quarter were recalled to face a further charge.\textsuperscript{209}

48 prisoners have been granted permanent early release on compassionate grounds in the last five years.\textsuperscript{210} This equates to some 28\% of applications.\textsuperscript{211}

In 2008, 11,721 people were released on Home Detention Curfew (HDC). This was 21\% lower than in 1999. One of the main reasons associated with this fall were assessors becoming more risk aware or averse.\textsuperscript{212} On 18 June 2010, 2,353 people were on HDC.\textsuperscript{213}

In 2008 there were 1,442 decisions to recall from HDC, representing a decrease of 13\% on 2007. Of those recalled, just 12\% were for a new offence.\textsuperscript{214}

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

The Prisons and Probation Ombudsman reports seeing more complaints about delays or omissions in delivering sentence plans, and about the content of reports. Decisions about release on HDC or release on temporary licence also feature to a degree that was not the case at the beginning of the decade.\textsuperscript{215}

The end of custody license scheme was withdrawn on 12 March 2010. This was expected to increase the prison population by an additional 1,000 to 1,200 prisoners by the end of April 2010.\textsuperscript{216}

\textsuperscript{201} Unless otherwise stated, all facts in this section are drawn from the Prison Reform Trust’s briefing paper, Recycling Offenders through Prison, May 2005

\textsuperscript{202} Hansard HC, 14 September 2009, c2146W


\textsuperscript{205} Hansard, WH, 5 February 2009, c311WH

\textsuperscript{206} HM Inspectorate of Prisons (2005) Recalled prisoners, London: HMIP

\textsuperscript{207} Ibid.


\textsuperscript{209} NOMS Recall newsletter edition 7, annex A

\textsuperscript{210} Hansard HC, 17 June 2009, c401W

\textsuperscript{211} Hansard, WH, 20 October 2009, c208 WH


\textsuperscript{213} NOMS, Prison Population and Accommodation Briefing, 11 June 2010


\textsuperscript{216} Hansard, HC, 23 March 2010, c182W
## Social characteristics of prisoners

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

Mothers and fathers in custody, prisoners’ children

It is estimated that there are 160,000 children with a parent in prison each year. This is around two and a half times the number of children in care, and over six times the number of children on the Child Protection Register. Based on the projected prison population growth, this group could rise to around 200,000 in the next five years. 217

In 2006, more children were affected by the imprisonment of a parent than by divorce in the family.218

During their time at school 7% of children experience their father’s imprisonment.219

Home Office research has found that 66% of women and 59% of men in prison have dependent children under 18. Of those women, 34% had children under 5, a further 40% children aged from 5 to 10.220 Each year it is estimated that more than 17,700 children are separated from their mother by imprisonment.

Only 9% of children whose mothers are in prison are cared for by their fathers in their mothers’ absence.221

At least a third of mothers are lone parents before imprisonment.222 Black and ethnic minority women are particularly likely to be single mothers, as more than half of black African and black Caribbean families in the UK are headed by a lone parent, compared with less than a quarter of white families and just over a tenth of Asian families.223

Only half of the women who had lived, or were in contact with, their children prior to imprisonment had received a visit since going to prison.224

One Home Office study showed that for 85% of mothers, prison was the first time they had been separated from their children for any significant length of period. It also showed that 65% of mothers in prison were receiving their first custodial sentence.225

An ICM public opinion poll, commissioned by SmartJustice in March 2007, found that, of 1,006 respondents, 73% thought that mothers of young children should not be sent to prison for non-violent crime.226

Imprisoning mothers for non-violent offences has a damaging impact on children and carries a cost to the state of more than £17 million over a ten-year period.227

The main social cost incurred by the children of imprisoned mothers – and by the state in relation to these children – results from the increased likelihood of their becoming ‘NEET’ (Not in Education, Employment or Training).228

Additional savings can be made with non-custodial sentences because of the reduced likelihood of children becoming problem drug users, or becoming involved in crime, if their mothers avoid prison.229

Between April 2005 and July 2008, 283 children were born to women prisoners. This is a rate of almost two births a week in England and Wales.230

However, between April 2008 and June 2008, 49 women in prison gave birth, at a rate of nearly four a week.231 23 births were to mothers aged 18 and 19.232 Seven young women aged 16 and 17-years-old in secure training centres gave birth and one in a secure children’s home gave birth between April 2006 and March 2009.233

220. Home Office Research Study 208, and Hansard, HC, 28 April 2003
223. HM Chief Inspector of Prisons (2009) Race relations in prisons: responding to adult women from black and minority ethnic backgrounds, London: HMIP
228. Ibid. 229. Ibid.
231. Ibid. 232. Ibid. 233. Hansard HC, 29 April 2009, c1332W
Women with babies in prison may be unable to claim benefits for their children.  

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

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

In 2004, for the first time the government announced that a record will be kept of prisoners’ children. The Prison-NOMIS case management system is now in place but this commitment to record details of prisoners’ children is not mandatory.

A government review of the children of offenders carried out in 2007 stated that ‘children of offenders are an “invisible” group: there is no shared, robust information on who they are, little awareness of their needs and no systematic support’.

HM Chief Inspector of Prisons found ‘a greater awareness in women’s prisons of the need to ask about care for dependants, but little awareness in men’s prisons that men may have similar concerns’.

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

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

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

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

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

Research indicates that having family ties can reduce the likelihood of reoffending by 39%.

However, many prisoners are still held a long way from their homes. On 8 May 2009, 32,126 people in prison were being held over 50 miles away from their normal place of residence.

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

HM Prisons Inspectorate found that under

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237. Hansard HC, 12 September 2004
238. Ministry of Justice and Department for Children, Schools and Families, Children of Offenders Review, June 2007
245. PRT Annual Lecture 2005, Rt Hon Charles Clarke MP
246. Ministry of Justice and Department of Education (2009), Reducing reoffending: supporting families, creating better futures, London: Ministry of Justice
247. A prisoner’s home is defined as their home address on reception into prison. For prisoners with no address, the address of the relevant committal court is used as the home address.

www.prisonreformtrust.org.uk
half of young people reported having two or more visits a month.249 27% of young women and 16% of young men did not get any visits.250

Just a third of children and young people said that it was easy or very easy for a loved one to visit them.251

One in four men and half of all women on remand receive no visits from their family.252

21 prisoners with dependent children took their own life in the 12 months to 31 August 2009.253

Approximately 30% of prisoners who take their own lives had no family contact prior to their deaths.254

In 2008–09 closed visiting conditions were imposed on 1,817 occasions.255 Closed visits are imposed when there is a risk drugs may be smuggled through visits.

Black, minority ethnic and foreign national women were more likely to report that they had not had a visit within their first week in prison compared with white and British women.256

In a survey of visitors’ centres commissioned by the Prison Service, Action for Prisoners’ Families found that 65% of respondents would like to book visits via the internet or email. One third expressed their frustration at problems in getting through on the phone to book visits.

In her most recent annual report, HM Chief Inspector of Prisons noted more children and family days: in 40 prisons as opposed to only 27 the year before. However, the Inspectorate has ‘learnt with concern that family days in some prisons (including women’s prisons) may be among the victims of budget cuts’.257

Since April 2010 the Assisted Prison Visits Unit has stopped reimbursing taxi fares for older people or people with disabilities who have difficulty using public transport.

The number of incidents where visitors are found to be in possession of drugs has decreased significantly in the last five years. The number of drug related incidents involving visitors has declined from 831 in 2002–03 to 680 in 2006–07. The total number of attempted smuggling incidents was 3,488 (which include prison staff, prisoners and other means of entry such as throwing substances over prison walls and sending them by post).258

HM Inspectorate of Prisons has found that an average of 40% of prisoners in closed prisons reported difficulties with sending or receiving mail. A third of those in male local prisons reported difficulties accessing phones.259

From May 2010, BT reduced the cost of calls from prison payphones in England and Wales. This followed a successful super-complaint issued by the National Consumer Council, now Consumer Focus, and Prison Reform Trust to the regulator Ofcom. Prison payphone calls to landlines have only dropped from 11 pence to 9 pence per minute on weekdays and 8 pence per minute on weekends. Costs of calls to mobiles during the day on weekdays were reduced from 63 pence to 20 pence per minute; 13 pence on weekends.260

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254. NOMS, Safer Custody News, January/February 2010
255. Hansard HC, 22 March 2010, c21W
256. HM Chief Inspector of Prisons (2009) Race relations in prisons: responding to adult women from black and minority ethnic backgrounds, London: HMIP
258. Hansard HC, 21 January 2008, c167B8W
260. Information from National Offender Management Service, April 2010
Women in prison

On 18 June 2010 the number of women in prison in England and Wales stood at 4,282, nine fewer than a year before. In the last decade the women's prison population has gone up by 60%. In 1995 the mid-year female prison population was 1,979. In 2000 it stood at 3,355 and in 2007 it was 4,283. A total of 12,676 women were received into prison in 2008.

There are 14 women’s prisons in England and none in Wales. Women represent 5% of the overall prison population.

28% of women in prison had no previous convictions, over double the figure for men.

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

In the year up to the end of April 2010 the number of women on remand rose 5% to 799. Women on remand make up 18% of the female prison population.

There has been a 14% increase in the number of women remanded into custody between 1998 and 2008, from 6,528 to 7,127. These women spend an average of four to six weeks in prison and nearly 60% do not go on to receive a custodial sentence.

64.3% of women released from prison in 2004 were reconvicted within two years of release. This compares to fewer than four out of 10 (38%) 10 years ago.

At the end of March 2010 there were 811 foreign national women in prison, 19% of the female population.

63% of women are in prison for non-violent offences, compared with 45% of men.

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

Number of sentenced women entering custody 1998 - 2008


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261. NOMS, Prison Population and Accommodation Briefing, 18 June 2010
263. NOMS, Prison Population and Accommodation Briefing, 18 June 2010
265. Ibid.
273. Hansard HC, 5 March 2009 cl790W
274. www.prisonreformtrust.org.uk
28% of women offenders’ crimes were financially motivated, it was 20% for men.\textsuperscript{274}

Breach of license or of a community penalty comprised 60% of offences within the ‘other offences’ category received for women, and 42% for men.\textsuperscript{275}

Most women serve very short sentences. In 2008 64% were sentenced to custody for six months or less.\textsuperscript{276}

The average distance adult women in prison were held from their home or committal court address is 57 miles. In 2007, around 800 women were held over 100 miles away.\textsuperscript{279}

A University of Oxford report on the health of 500 women prisoners, showed that: ‘women in custody are five times from likely to have a mental health concern than women in the general population, with 78% exhibiting some level of psychological disturbance when measured on reception to prison, compared with a figure of 15% for the general adult female population’. 58% of women had used drugs daily in the six months before prison and 75% of women prisoners had taken an illicit drug in those six months. Crack cocaine, heroine, cannabis and benzodiazepines were the most widely used. Oxford researchers also found that women entering prison had very poor physical, psychological and social health, worse than that of women in social class V, the group within the general population who have the poorest health.\textsuperscript{280}

Of all the women who are sent to prison, 37% say they have attempted suicide at some time in their life.\textsuperscript{281}

There were 55 self-inflicted deaths of women prisoners between 2002 and 2009.\textsuperscript{282}

In 2008, there were 24,686 recorded incidents of self-harm – 11,747 for men and 12,938 for women.\textsuperscript{283}

Nearly 80% of IPP sentences for women surveyed by the Chief Inspectors of Prisons and Probation were for offences of arson, which is often an indicator of serious mental illness or self-harm.\textsuperscript{284}

Most of the rise in the female prison population can be explained by a significant increase in the severity of sentences. In 1996, 10% of women convicted of an indictable offence were sent to prison, in 2007 15% were.\textsuperscript{277}

The government’s strategy for diverting women away from crime made a commitment to reduce the women’s prison estate by 300 places by March 2011 and 400 places by March 2012.\textsuperscript{278}

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{chart.png}
\caption{Women entering prison under sentence, 2008}
\end{figure}

\textsuperscript{275} Ministry of Justice (2009) Statistics on Women and the Criminal Justice System, London: Ministry of Justice  
\textsuperscript{279} A prisoner’s home area is defined as their home address on their reception into prison. For prisoners with no address, the address of the relevant committal court is used as the home address. Hansard HC, 31 January 2008, and 18 March 2009, c1222W  
\textsuperscript{280} http://www.admin.ox.ac.uk/po/070213%20prison.shtml  
As at 19 January 2010 there were 155 women serving IPP sentences, under 3% of the total IPP population.\(^{285}\)

One in four women in prison has spent time in local authority care as a child. Nearly 40% of women in prison left school before the age of 16 years, almost one in 10 were aged 13 or younger.\(^{286}\)

Over half the women in prison report having suffered domestic violence and one in three has experienced sexual abuse.\(^{287}\)

Women prisoners are subject to higher rates of disciplinary proceedings than men. In 2007 there were 189 proven breaches against discipline per 100 women in prison compared to 133 per 100 men. According to the Ministry of Justice, ‘women may be less able (due for example to mental health issues) to conform to prison rules’.\(^{288}\)

The proportion of women prisoners aged 40 and over has risen from 18% in 2002 to 25% in 2007.\(^{289}\)

Around one-third of women prisoners lose their homes, and often their possessions, whilst in prison.\(^{290}\)

Women prisoners are often inadequately prepared for release. According to the Social Exclusion Unit report only 24% of women with a prior skill had the chance to put their skills into practice through prison work. Just 11% of women received help with housing matters. Home Office research found that 41% of women in prison did not have accommodation arranged on release. Only a third of women prisoners who wanted help and advice about benefits and debt received it.\(^{291}\)

In March 2007, the Corston review of vulnerable women in the criminal justice system, commissioned by the Home Secretary following the deaths of six women at Styal prison, stated: ‘Community solutions for non-violent women offenders should be the norm’. In his evidence to the Corston review, the Cheshire Coronor Nicholas Reinberg said ‘…..The Corston review concluded that “There must be a strong consistent message right from the top of government, with full reasons given, in support of its stated policy that prison is not the right place for women offenders who pose no risk to the public”’.\(^{292}\)

An ICM public opinion poll commissioned by SmartJustice in March 2007 found that, of 1,006 respondents across the UK, 86% supported the development of local centres for women to address the causes of their offending. Over two thirds (67%) said that prison was not likely to reduce offending.\(^{293}\)

In 2007 a higher proportion of women than men completed their community sentence successfully or had their sentences terminated for good progress on both community orders and suspended sentence orders.\(^{294}\)

The new economics foundation has found that for every pound invested in support-focused alternatives to prison, £14 worth of social value is generated to women and their children, victims and society generally over 10 years.\(^{295}\)

If alternatives to prison were to achieve an additional reduction of just 6% in reoffending, the state would recoup the investment required to achieve this in just one year.\(^{296}\) The long-run value of these benefits is in excess of £100 million over 10 years.\(^{297}\)

\(^{285}\) Hansard HC, 26 January 2010, c731W
\(^{287}\) Ibid.
\(^{289}\) Ibid.
\(^{291}\) Ibid.
\(^{293}\) SmartJustice (2007) Public say: stop locking up so many women, London: Prison Reform Trust
\(^{295}\) new economics foundation (2008) Unlocking value: How we all benefit from investing in alternatives to prison for women offenders, London: new economics foundation
\(^{296}\) Ibid.
\(^{297}\) Ibid.
On 30 June 2009 just under 27% of the prison population, 22,292 prisoners, was from a minority ethnic group. This is the same proportion as in the previous year (2008), but is an increase on 2005 (25%). This also compares to one in 11 of the general population.

Out of the British national prison population, 10% are black and 4% are Asian. For black Britons this is significantly higher than the 2% of the general population they represent.

Overall black prisoners account for the largest number of minority ethnic prisoners (54%). Between 1999 and 2002 the total prison population grew by just over 12% but the number of black prisoners increased by 51%.

At the end of June 2009, 33% of minority ethnic prisoners were foreign nationals.

At the end of June 2009, 31% mixed, 30% white, 28% of Asian, 26% of black, and 16% of Chinese or other prisoners were serving a sentence for offences of violence against the person. 48% of Chinese or other prisoners, 26% of black, 24% of Asian, 19% of mixed, and 12% of white prisoners were serving sentences for drugs offences.

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

The perceptions of black and minority ethnic prisoners in HM Inspectorate of Prisons’ surveys are more negative than those of white prisoners in key areas such as safety and relationships with staff.

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

Research undertaken by Prison Reform Trust found that 41 of 71 prisoners interviewed said that they had experienced racism in the previous six months in the prison. Almost two-thirds of those prisoners said that they did not submit a complaint about it.

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

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299. Ibid.
304. Ibid.
Foreign national prisoners

At the end of March 2010 there were 11,367 foreign national prisoners (defined as non-UK passport holders), 13% of the overall prison population. These prisoners come from 165 countries, but just under half are from 10 countries (Jamaica, Nigeria, Republic of Ireland, Poland, Vietnam, Somalia, China, Pakistan, Romania, and Lithuania).

In 2008 there was a 4% increase in the number of untried foreign national people received into custody, from 10,700 in 2007 to 11,200. Over the longer term the number of untried foreign national receptions has increased 128% (from 4,900 in 1998). In comparison, untried receptions of British nationals were down 23% between 1998 and 2008.

The number of foreign nationals in prison has increased by 29% between 2004 and 2008. This compares to a 10% increase in British nationals.

One in five women in prison, 811, are foreign nationals, some of whom are known to have been coerced or trafficked into offending.

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

Those women sentenced for drugs importation are largely from Nigeria, Jamaica and South Africa.

The number of foreign national women imprisoned for fraud and forgery offences (usually possession of false documents) has risen sharply. In 1994, 229 foreign national prisoners were charged with such offences, but by 2005 it had risen to 1,995.

41% of women within the current Hibiscus caseload were charged with offences such as deception and fraud, in relation to their immigration status and related paperwork. The average sentences for false documents were 8.5 months and for deception 12 months.

Hibiscus, Female Prisoners Welfare Project, has seen a dramatic rise in numbers of women from Eastern European countries, representing 20% of all new cases. This group account for the majority of those charge with theft. The other growth is in relation to women from China and Vietnam who have been charged with false documents and employment in illegal activities.

In 12 prisons, foreign national prisoners make up a quarter or more of the population. In 2006, two prisons, Canterbury and Bullwood Hall, were reserved for an entirely foreign national population.

Since 2007 the UK Border Agency has removed or deported over 15,000 foreign national offenders.

HM Inspectorate of Prisons continues to find detainees held under immigration powers after the expiry of their sentence.

16% of self-inflicted deaths in 2008 were of foreign national prisoners, although in that year foreign national prisoners represented 14% of the population in prison.

311. Ibid.
313. Ibid.
316. Forthcoming (2010) briefing paper by Prison Reform Trust and Hibiscus
319. Ibid.
321. Hansard HC, 4 March 2010, c1386W
Children in prison

At the end of April 2010 there were 2,116 children (under-18s) in custody – a decrease of 493 from the same point last year. There were 1,707 children held in young offender institutions, 249 in secure training centres and 160 in secure children’s homes.

In February 2010, there were 99 children aged 14 and under in the secure estate in England and Wales. 14 were aged 13 and four were aged 12.

In 2008–09, 377 children (10–17) with no previous convictions received a custodial sentence.

In 2008–09, 22% of 12-year-olds and more than a quarter of 13 year olds in custody were imprisoned for breach of a statutory order.

22% of those children in custody aged 12, 13 and 14 received their sentence for a breach of a community intervention – such as an ASBO, a supervision order or a curfew. 28% had not committed a ‘serious or violent’ index offence and 9% were not persistent offenders.

According to Barnardos, 35% of 12–14-year-olds in custody did not appear to meet the custody thresholds defined in the Powers of Criminal Courts (Sentencing) Act 2000.

During the period 1 April 2008 to 31 March 2009, 1,308 young people under 18 were remanded into custody for a period of seven days or less; and 173 were remanded for a period of seven days or less to the care of a local authority with a requirement that they be accommodated in secure conditions.

In 2008, 2,602 children who were remanded in custody were subsequently acquitted or given a community sentence.

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326. Hansard, HC, 26 February 2010, c801W
329. Hansard HC, 7 December 2009
331. Ibid.
333. Ibid.
334. Ibid.
335. Hansard HC, 28 April 2009, c1263W
336. Hansard HC 10 February 2010, c1084W
The UN Committee on the Rights of the Child has stated that an age of criminal responsibility below 12 is ‘not acceptable’.

Legislation including proposals to raise the age of criminal responsibility from eight to 12 in Scotland is currently being discussed at committee stage.

In 2008–09, 4,963 children under 18 were remanded in custody. Of these, 985 spent between one and six months in custody on remand; 194 between six and 12 months; and four were held on remand in custody between 12 months and three years.337

56% of young men and 61% of young women said that they had been in custody more than once, with 6% of young men and 9% of young women having been in custody more than five times.338

Reconviction rates are very high for children, 74% of those released from custody in 2008 reoffended within a year.339

In 2008, 125 children (15–17) in England and Wales entered prison for motoring offences, 105 for disorderly behaviour, 46 for criminal damage, 19 for fraud and forgery and two for drunkenness.342

On 30 June 2009 more children were in prison for robbery than any other offence.343

Many children in prison have a background of severe social exclusion.

71% of children in custody have been involved with, or in the care of, social services before entering custody. 75% of children in custody have lived with someone other than a parent at some time (compared with only 1.5% of children in the general population).344

40% of children in custody in England and Wales have previously been homeless.345

Two out of five girls and one out of four boys in custody report suffering violence at home. One in three girls and one in 20 boys in prison report having been sexually abused.346 One in 10 girls in custody has been paid for sex.347

The number of children in custody assessed as vulnerable was 1,148 in 2007, a rise of 12% on 2006, which rose by 12% on 2005.348

25% of children in the youth justice system have identified special educational needs, 46% are rated as underachieving at school and 29% have difficulties with literacy and numeracy.349 38% of boys screened on admission in 2000–01 had the level expected of a seven-year-old in numeracy and 31% in literacy. 4% had levels lower than this in numeracy and literacy.350

88% of young men and 89% of young women in prison have been excluded from school. More than a third were younger than 14 when they last attended school.351

Research commissioned by the YJB in 2006 found that 19% of 13–18-year-olds in custody had depression, 11% anxiety, 11% post-traumatic stress disorder and 5% psychotic symptoms.352

Research suggests that prevalence of mental health problems for young people in contact with the criminal justice system range from 25 to 81%, being highest for those in custody. A cautious estimate based on the figures in the literature would indicate the rates of mental health problems to be at least three times as high for those within the criminal justice system as within the general population.353

337. Hansard HC, 12 October 2009, c92W
340. Costs supplied to the Foyer Federation by the YJB at May 2009
345. Ibid.
346. Ibid.
347. Youth Justice Board, Female health needs in young offender institutions, 2006, as cited in Legal Action, February 2008
348. Hansard HC, 28 March 2007, c1652W

www.prisonreformtrust.org.uk
Girls under 18 are twice as likely to injure themselves as adult women. In 2007, 89% of girls under 18 had self-harmed. In 2008 there were 686 recorded incidents of self-harm by girls in custody, and 743 by boys in custody. This compares with 430 and 434 incidents respectively in 2003.

Children in prison are 18 times more prone to take their own life than children of the same age in the community.

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

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

The use of restraint in YOIs has increased by 25% in the last year – across the whole secure estate, there were almost 8,000 incidences of restrictive physical interventions during 2008–09.

29% of boys and 21% of girls in prison have been physically restrained. Black and minority ethnic boys were more likely to report being physically restrained (36%) than white boys (25%).

Over a two-year period, children and young people in Castington YOI sustained seven confirmed and three suspected fractures following the use of control and restraint techniques by staff.

Almost a third of prisoners involved in assaults classified as serious are children, despite children accounting for only 3% of the prison population.

More than a quarter (29%) of boys and girls have felt unsafe at some point in custody.

Of children interviewed in prison, 13% reported being regular crack users, and 12% regular heroin users. Poly drug use was also high.

36% of boys and 40% of girls in prison reported coming off drugs and/or alcohol as a problem when they first arrived.

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

In September 2008, 46% of 15 year olds, 41% of 16 year olds and 41% of 17-year-olds in prison were held over 50 miles from their home address.

More than a quarter of girls and nearly one in five boys in YOIs had not had any visits from friends or family.

In September 2009, children in YOIs spent on average 15 hours each day locked in their cells.

According to a Prisons Inspectorate and Youth Justice Board survey 70% of young men and 89% of young women (15–18) in prison said they wanted to stop offending.

However, only 37% of the boys and 58% of the girls said that they had done or experienced anything in prison that they thought would make then less likely to offend in the future.

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355. Hansard HC, 12 October 2009, c166W
357. http://www.inquest.org.uk/
363. Youth Justice Board (2004) Substance misuse and juvenile offenders
365. Ibid.
366. Hansard HC, 18 March 2009, c1228W
368. Hansard HC, 11 January 2010, c800W
370. Ibid.
Young people in prison (18-20-year-olds)

At the end of April 2010 there were 10,004 young people aged 18–20 in prison in England and Wales, up 7% on the previous year. At the end of April 2010 more young people were in prison for the offence of violence against the person than any other offence.\(^{371}\)

In 2008 14,300 young people were sent to prison under sentence. In the last fifteen years the number of sentenced young adults entering prison has increased by 30%. Over that time the number of sentenced young women imprisoned has more than trebled.\(^{372}\)

Between 1997 and 2007 the number of young adults that received a life sentence has increased by 40%.\(^{373}\)

Nearly half (42%) of first time offenders are young adults.\(^{374}\)

Reconviction rates are particularly high for young people. 74.8% of young men released from prison in 2004, were reconvicted within two years of release.\(^{375}\)

HM Chief Inspector of Prisons has commented that ‘the high reoffending rate among young adult men is unlikely to reduce without significant changes in approach, funding and focus’.\(^{376}\)

Young people between 18 and 21 were held an average of 50 miles away from their home or committal court address.\(^{377}\) Around 1,300 were held over 100 miles away. HM Chief Inspector of Prisons has commented that: ‘these considerable distances from home compromises the resettlement and rehabilitation of young adults’.\(^{378}\)

Fewer than half the young people in surveys conducted by HM Prisons Inspectorate said that they had two or more visits a month.\(^{379}\)

Fewer than half of young adults surveyed said that they knew where to get help to find accommodation, drug treatment or continuing education when they left prison.\(^{380}\)

23% of young offenders have learning difficulties (IQ below 70) and 36% borderline learning difficulties (IQ 70–80%).\(^{381}\) At least 60% have difficulties with speech, language and communication that adversely affect their ability to participate in certain elements of the custodial regime.\(^{382}\)

Just over a third (35%) of sentenced young men say they have gained a qualification whilst in prison.\(^{383}\)

HM Prisons Inspectorate has found that too many young adult establishments have high levels of unemployment and poor quality work placements which did not provide vocational qualifications.\(^{384}\)

An average of 3.3 hours per week is spent on physical education in young offender institutions in 2006–07. An average of eight hours per week is spent on other educational activities.\(^{385}\)

Young offender institutions and juvenile establishments have the highest assault rates of any prisons in England and Wales.\(^{386}\)

Mental health problems, drug and alcohol abuse are common amongst young people.

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379. Hansard HC, 31 January 2008
380. Hansard HC, 19 July 2007, c592W
in prison. They are more likely than adults to suffer from mental health problems and are more likely to take, or try to take, their own life than both younger and older prisoners.\textsuperscript{387}

\textbf{19\% of prisoners surveyed by HM Inspectorate of Prisons reported having an alcohol problem when they entered their prison.} It was even higher among young adults (30\%) and women (29\%). These figures almost certainly underestimate the scale of the problem, as many of those with alcohol problems will fail to recognise or acknowledge them.\textsuperscript{388}

\textbf{37\% of young offenders have a problem with alcohol and/or are regular binge-drinkers.} In addition, 32\% behave violently which is related to their alcohol abuse.\textsuperscript{389}

\textbf{Young adults account for 19\% of individuals in prison who self-harm although they represent 12\% of the population in custody.}\textsuperscript{390}

\textbf{In 2007, 69\% of young women in custody had harmed themselves.}\textsuperscript{391}

\textbf{25\% of men in young offender institutions are, or are shortly to become, fathers.}\textsuperscript{392} It is estimated that four out 10 young women in prison are mothers.\textsuperscript{393}

\textbf{According to the British Crime Survey, 16–24-year-olds are more likely than any other age group to become a victim of violent crime or a victim of theft.}\textsuperscript{394}

\textbf{Up to 30\% of young women in custody report having been sexually abused in childhood.}\textsuperscript{395}

\textbf{Young people who are not in education or employment are twenty times more likely to commit a crime.} 47\% of young adults aged 17–24 were in employment or education at the time of their arrest.\textsuperscript{396}

\textbf{‘We’ve all been through social services, foster, children’s homes, getting kicked out of school, secure unit….I’m sure we’ve all been through that road. It’s like a journey and we’ve all collected our tickets along the way.’}\textsuperscript{397}

\begin{flushleft}
\textsuperscript{388} HM Chief Inspector of Prisons for England and Wales (2010) Alcohol services in prisons: an unmet need, London: HMCIP
\textsuperscript{389} Devitt, K., Knighton, L., and Lowe, K. (2009) Young Adults Today, London: Young People in Focus
\textsuperscript{392} Ministry of Justice and Department for Children, Schools and Families, Children of Offenders Review, June 2007
\textsuperscript{393} A survey carried out by YoungVoice in 2001 found that 51 \% of men in prison under the age of 23 and 79 \% of women in the same age group were parents, YoungVoice (2001) Parenting Under Pressure, London: Young Voice
\textsuperscript{394} Devitt, K., Knighton, L., and Lowe, K. (2009) Young Adults Today, London: Young People in Focus
\textsuperscript{396} Ibid.
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Older people in prison

On 30 June 2009 there were 7,532 prisoners aged over 50 in England and Wales, including 1,999 aged between 60 and 69 and 539 over 70. People aged 60 and over are now the fastest growing age group in the prison estate. The number of sentenced prisoners aged 60 and over rose by 142% between 1998 and 2008.

In 2008 there was one woman and 25 men in prison aged over 80. HM Inspectorate of Prisons noted that the oldest prisoner at HMP Hewell in November 2009 was 91.

More than one in 10 older prisoners belong to a minority ethnic group, far higher than the proportion of the general population.

40% of men in prison aged over 50 have been convicted of sex offences. The next highest offence is violence against the person (26%) followed by drug offences (14%). For women, the most common offence was drug offences (36%).

On 30 June 2009 there were 2,008 people aged 50 and over serving life sentences. 3,224 were serving sentences of more than four years, but less than life.

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

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

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

Over 90% of prison staff responded to a survey conducted by Prison Reform Trust said that social services had no involvement in their prisons. Only five prisons reported that an occupational therapist came in to the prison when required and would provide daily living aids.

Some older prisoners will have a physical health status of 10 years older than their contemporaries in the community.

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The number and proportion of men aged over 60 sentenced to prison by the courts has increased significantly. Between 1995 and 2000 the number of elderly males given custodial sentences increased by 55%. In 1995 fines accounted for the majority of sentences (31%). By 2000 imprisonment accounted for the majority of sentences (31%) and fines accounted for 24%.

Over 90% of prison staff responded to a survey conducted by Prison Reform Trust said that social services had no involvement in their prisons. Only five prisons reported that an occupational therapist came in to the prison when required and would provide daily living aids.

Some older prisoners will have a physical health status of 10 years older than their contemporaries in the community.
**PRT research has found that services for older people in prison did not meet those that would be available for the elderly in the community.**

The report expresses concern that some older people entering prison had the medication they were receiving in the community stopped.

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

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

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

98 people died from natural causes in prison custody in England and Wales during 2008.

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

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

40% of prisons responding to the recent PRT survey reported that no specific age related assessments or arrangements were in place. No specific arrangements for older prisoners were reported in relation to sentence planning, and no respondent mentioned offending behaviour courses specifically designed, or adapted, for older prisoners.

However, PRT’s recent survey does indicate areas of good practice. One quarter of respondents are working with Age UK local groups or other voluntary sector organisations to provide services.

Prison staff identified the lack of funding and the age or design of prison buildings as the main barriers to change.

Four years after a thematic review of older prisons, HM Chief Inspector of Prisons stated that ‘eight of [their] key recommendations have not been implemented’. This is while ‘the issues older prisoners pose are likely to become more acute, as an increasing number of long-sentenced prisoners grow old and frail in prison’.

In her most recent annual report, HM Chief Inspector of Prisons noted that not all prisons had policies that reflected the specific needs of older men and women.

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

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413. Ibid.   
417. Hansard HC, 19 July 2007, c583W   
418. Hansard HC, 13 October 2009, c881W   
422. Ibid.   
423. Ibid.   
426. Communication between Prison Reform Trust, CPA and Department of Health.
Prisoners with learning disabilities and difficulties

20–30% of offenders have learning disabilities or difficulties that interfere with their ability to cope with the criminal justice system. The term learning disabilities or difficulties includes people who: experience difficulties in communicating and expressing themselves and understanding ordinary social cues; have unseen or hidden disabilities such as dyslexia; experience difficulties with learning and/or have had disrupted learning experiences that have led them to function at a significantly lower level than the majority of their peers; are on the autistic spectrum, including people with Asperger syndrome.

7% of prisoners have an IQ of less than 70, a further 25% have an IQ of less than 80.

23% of young offenders have very low IQs of below 70, and a further 36% have borderline learning difficulties. At least 60% have difficulties with speech, language and communication that adversely affect their ability to participate in certain elements of the custodial regime.

25% of children in the youth justice system have identified special educational needs, 46% are rated as underachieving at school and 29% have difficulties with literacy and numeracy.

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

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

A learning disability screening tool, the LDSQ, was piloted in four prisons under the auspices of the Department of Health. The results, reported in March 2010, established that it was an effective tool for use in prisons. Discussions are underway with NOMS on the next steps for implementation across the prison service. Further work needs to be undertaken, as a matter of urgency, to identify a screening tool for use across the wider criminal justice system, in particular at the point of arrest.

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

Prisoners with learning disabilities or difficulties are unable to access prison information routinely; over two-thirds have difficulties reading prison information, which rises to four-fifths for those with learning disabilities. Over two-thirds have difficulties filling in prison forms, which rises to three-quarters for those with learning disabilities. Consequently many miss out on things such as family visits and going to the gym, or getting the wrong things delivered such as canteen goods. Over half say they have difficulties making themselves understood in prison, which rises to more than two-thirds for those with learning disabilities. The use of a learning disability

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screening tool shows that over two-thirds experience difficulties in verbal comprehension skills, including difficulties understanding certain words and in expressing themselves.

**Prisoners are excluded from elements of the prison regime including opportunities to address their offending behaviour**. ‘It’s hard, hard dealing with the sentence let alone dealing with the stresses of not being able to do the course. The pressure of just being here … and knowing that you’ll have to be here longer because you can’t read is hard.’

_A report by HM Chief Inspectors of Prison and Probation described this predicament – prisoners being unable to access the interventions they needed to secure their release as ‘kafka-esque’. On the same issue the Joint Committee on Human Rights noted that ‘people with learning disabilities may serve longer custodial sentences than others convicted of comparable crimes’. The report went on to say that ‘this clearly breaches Article 5 ECHR (right to liberty) and Article 14 ECHR (enjoyment of ECHR rights without discrimination)’. In February 2010 a prisoner with learning disabilities, who had served over twice his tariff, was awarded a case for breach of the Disability Discrimination Act and for breach by the Secretary of State for Justice for failing in his duties to take steps to enable the prisoner in question to undertake some type of offending behaviour work._

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

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

**Prisoners with learning disabilities or difficulties are more than three times as likely as prisoners without such impairments to have clinically significant depression or anxiety.**

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

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

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

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

**Prisoners with learning disabilities and difficulties are discriminated against personally, systemically and routinely as they enter and travel through the criminal justice system.** Criminal justice staff and those responsible for providing services are failing in their duty to promote equality of opportunity and to eliminate discrimination. As such they are not complying with the requirements of the Disability Discrimination Act (2005) and the Disability Equality Duty in particular.

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


Mental health

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

Many prisoners have mental health problems. 72% of male and 70% of female sentenced prisoners suffer from two or more mental health disorders. 20% of prisoners have four of the five major mental health disorders.

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

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

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

A significant number of prisoners suffer from a psychotic disorder. 7% of male and 14% of female sentenced prisoners have a psychotic disorder; 14 and 23 times the level in the general population.

Women in prison are twice as likely to have an eating disorder as women in the general population.

In an assessment of 13–18-year-olds in custody, 35% of girls and 13% of boys were identified with depression, 17% and 7% respectively were identified with deliberate self-harm, and 16% and 7% respectively were identified with post-traumatic stress disorder.

There is considerable concern about the misuse of custodial remands in order to obtain a mental health assessment.

There is currently no data to identify how many individuals are remanded in custody pending a psychiatric report, how many are assessed as having a mental health problem, and how many are so unwell that they require transferring out of custody for treatment.

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

In 2008, there were 24,686 recorded incidents of self-harm – 11,747 for men and 12,938 for women.

Many incidents reflect prolific self-harm by the same women. In 2008 an average of nine incidents were recorded for each woman harming herself compared to two incidents for each man.

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438. Paul Goggins, minister for prisons and probation speaking in a debate on prisons and mental health, Hansard, 17 March 2004
447. Ibid.
448. Ibid.
HMP Holloway, with a reported 2,256 self-harm incidents, recorded over 331 incidents in its worst month—averaging over 10 a day.449

In 2008, 1,628 young people deliberately harmed themselves. This represents 26% of all individuals who self-harmed during that year.450

28% of self-harm incidents occurred within the first month of arriving in a prison. Prison overcrowding and the ‘churn’ of sentenced prisoners from one establishment to another exacerbates this problem.451

Over 100 prisoners were resuscitated during 2007 after serious self-harm incidents.452

In a case study conducted by the Safer Custody Group of 50 ‘prolific self-harmers’, only 12 of the women studied had not experienced abuse or rape in their lives. Of those who had experienced rape or abuse, 18 were children when it happened. Half had been in a psychiatric inpatient unit in the past, and 19 had been receiving psychiatric treatment prior to custody.453

Only 30% of mental health in-reach team records looked at by the Prisons Inspectorate recorded ethnicity, even though this is a minimum requirement within the NHS dataset.454

Black and minority ethnic groups are 40% more likely to access mental health services via a criminal justice system gateway.455

The number of restricted patients under the Mental Health Act in England and Wales was 3,395 at the end 2005, the highest for a decade. 779 of the patients were transferred from prison to hospital. Those released from restricted hospitals in 2003 have a 7% reconviction rate after two years.456

In the quarter ending December 2006, 38 prisoners had been assessed and were waiting three months or more before being transferred to hospital. Many prisoners also have long waits before an assessment takes place.457

The Prisons and Probation Ombudsman has drawn attention to cases when prisoners give no outward indication to staff or peers that they are feeling low or depressed as many prisoners choose to hide their real feelings from staff, and wish to keep their personal circumstances private.458

Prisoners with severe mental health problems are often not diverted to more appropriate secure provision. The Chief Inspector of Prisons has estimated, based on visits to local prisons, that 41% of prisoners being held in mental health care centres should have been in secure NHS accommodation.459

Research has found that there are up to 500 patients in prison health care centres with mental health problems sufficiently ill to require immediate NHS admission.460

After an analysis of over 21,000 custody records in four police stations in cities in the East Midlands area of England, the appropriate adult was used in only 38 instances (0.016%). Based on the lowest estimate of the numbers of mentally ill people in the population, there should have been about 456.

451. Ibid.
454. Ibid.
457. Hansard HC, 27 March 2007, c1454W

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400 instances (1.9%), and on the more generous estimate 3,000 (14%).

75% of all prisoners have a dual diagnosis (mental health problems combined with alcohol or drug misuse). Yet HM Prisons Inspectorate found that dual diagnosis services remain patchy.

The resettlement needs of prisoners with mental health problems are not being met. Research found that 96% of mentally-disordered prisoners were returned to the community without supported housing, including 80% of those who had committed the most serious offences; more than three quarters had been given no appointment with outside carers. Many people have a right to services under health and social care legislation.

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

On 30 April 2009, Lord Bradley, a former Minister of State at the Home Office, published the findings of his government commissioned review of diversion services for offenders with mental health problems or learning disabilities. His report calls for all police custody suites to have access to the services of Criminal Justice Mental Health Teams, including: screening for vulnerable people and assessing their needs; sharing information with police to enable diversion; and signposting to local health and social care services.

The Bradley review calls for adequate community alternatives to prison for vulnerable offenders where appropriate. It heard evidence that 2,000 prison places per year could be saved if a proportion of eligible, short-term prisoners who committed offences while suffering mental health problems were given appropriate community sentences.

The review also calls for the Department of Health to introduce a new 14-day maximum wait to transfer prisoners with acute, severe mental illnesses to an appropriate health setting. A 2005 Department of Health audit had found that at any one time in the prison estate there are on average 282 prisoners waiting initial psychiatric assessment. The review finds the absence of timely assessments and the lack of specialist beds accounts for two-thirds of the delays.

HM Chief Inspector of Prisons commented in her annual report that the Bradley review has not yet led to major changes in mental healthcare in prisons. ‘We continue to have particular concerns about the lack of primary mental health services, and of daycare provision for those less able to cope on the wings – though there is some better support from child and adolescent mental health services (CAMHS).’

468. Ibid.
469. Ibid.
Prison suicides

There were 60 apparent self-inflicted deaths in custody in England and Wales in 2009. This is down from 92 in 2007.471

This figure includes the death of three women, five young people aged 18–20 and no children.

The three-year rolling average to the end of 2009 was 86 self-inflicted deaths per 100,000 of the population. This is down from 130 per 100,000 in 2004.472

The suicide rate for men in prison is five times greater than that for men in the community. Boys aged 15–17 are 18 times more likely to take their own lives in prison than in the community.473

Men recently released from prison were eight times more likely, than the general population, to take their own life. Women were 36 times more likely to take their own life.474

Twelve self-inflicted deaths in 2009 occurred within the first seven days in prison.475

People on remand, 16% of the prison population, accounted for half of self-inflicted deaths in 2008–09.476

Twenty four of the 65 prisoners who took their own lives in the 12 months to 31 August 2009 had reported a history of attempted suicide prior to reception into their final establishment. Seventeen of these reported having attempted suicide in the previous 12 months: 10 whilst in custody and seven whilst in the community. Eight of the 65 had a documented history of attempted suicide in their final establishment.477

Approximately 30% of prisoners who take their own lives had no family contact prior to their deaths.478

According to the government’s Social Exclusion Unit, more than 50 prisoners take their own lives shortly after release each year.479

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

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Rate of suicides per 100,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>1998</td>
<td>76</td>
<td>127</td>
</tr>
<tr>
<td>1999</td>
<td>89</td>
<td>140</td>
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<td>2000</td>
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<td>2008</td>
<td>61</td>
<td>73</td>
</tr>
<tr>
<td>Total</td>
<td>901</td>
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</tr>
</tbody>
</table>

NOMS, Safer Custody News, 1997-2008

472. Ibid.
478. NOMS, Safer Custody News, January/February 2010
A survey by the Ministry of Justice found that over a quarter of newly sentenced prisoners reported a long-standing physical disorder or disability. Musculoskeletal and respiratory complaints were most commonly reported.  

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

In HM Inspectorate of Prison surveys, 15% of prisoners reported having a disability.  

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

People with disabilities reported worse experiences than other prisoners in response to 130 out of 190 questions on Inspectorate surveys, although they were often more positive about healthcare. This indicates that disability is still seen largely as a healthcare issue.

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

Following a judicial review by a disabled inmate (who had not been provided with accessible cell or motorised wheelchair) the Prison Service accepted that both PSO 2855 (disabled prisoners) and PSO 0900 (categorisation and allocation) will be amended to comply with the requirements of the DDA. This has resulted in new guidance being issued in PSI 31/2008. Allocation of prisoners with disabilities.

HM Chief Inspector of Prisons said in her most recent annual report, that often inspectors found that prisoners with mobility difficulties suffered considerable disadvantage because of the refusal of prison staff to push wheelchairs without training. She added that ‘it is unacceptable that this has not been resolved’.  

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

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

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

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

HM Inspectorate of Prisons also noted a paucity of health information in different


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languages and, of particular concern, the use of prisoners to translate for others.\textsuperscript{490}

98 people died from natural causes in prison custody in England and Wales during 2008.\textsuperscript{491}

Analysis of Prisons and Probation Ombudsman’s reports into 130 deaths from natural causes in prison found that the average age was 52 years-old for men and 44 years-old for women. The most common causes of the deaths were heart attacks or cancer. In 14\% of the investigations the care provided was found to be less than satisfactory.\textsuperscript{492}

The Prisons and Probation Ombudsman has found that in the 92 cases of deaths from natural causes in prison studied, restraints were used during final inpatient stays on 29 out of 52 occasions.\textsuperscript{493}

Across the prison estate only 40\% of prisoners participate in exercise.\textsuperscript{494}

In nearly half of establishments holding young men aged 15–18 years-of-age, the proportion of young men able to exercise outside daily was 10\% or less.\textsuperscript{495}

77\% of young men and 90\% of young women (15–18) reported visiting the gym once, or more than once a week.\textsuperscript{496}

The average number of hours prisoners spend exercising per week is 2.4 for adults, 3.5 for young people, and 3.9 for children.\textsuperscript{497}

For the current financial year, NOMS has introduced a maximum benchmark of £2.10 per prisoner per day. Many prisons already operate below this level.\textsuperscript{498}

The average time out of cell on a weekday for each prisoner is 10 hours exactly in 2005-06, a fall from 11.2 in 1996-07. 48\% of young men and 69\% of young women (15–18) said they had periods of association more than five times a week.\textsuperscript{500}

In Prisons Inspectorate surveys, fewer than 20\% of men reported spending the mandated 10 hours out of their cell on a week day.\textsuperscript{501}

To meet the 3\% year-on-year efficiency savings, the Prison Service decided, with ministerial support, to reduce the core week for prisoners from April 2008. Prisoners are now locked up for half-a-day more than before thus reducing constructive activity and time outside cells.\textsuperscript{502}

In March 2009, 2,117 prison places did not have in-cell sanitation or open access to toilet facilities.\textsuperscript{503}

A survey conducted by the National AIDS Trust and the Prison Reform Trust among prison healthcare managers across the UK, found that a third of prisons surveyed had no HIV policy, one in five had no hepatitis C policy and well over half had no sexual health policy. This is despite the fact that the most recent survey of prevalence in prison found HIV was 15 times higher than in the community.\textsuperscript{504}

Investment in prison healthcare has increased from £118 million in 2002–03 to £200 million in 2006–07.\textsuperscript{505}

56\% of young men and 72\% young women (15–18) reported that the quality of prison healthcare was either good or very good.\textsuperscript{506}
Drugs

The number of people in prison for drug offences is high and growing. At the end of April 2010, 15% of male sentenced prisoners had been convicted of drug offences – up 6% on the previous year. For the sentenced female prison population at the end of April 2010, drug offences accounted for 24% of prisoners. However, this is down by 5% on last year.507

There is a much wider group of prisoners whose offence is in some way drug related. Shoplifting, burglary, vehicle crime and theft can be linked to drug misuse. Over half of prisoners (55%) report committing offences connected to their drug taking, with the need for money to buy drugs the most commonly cited factor.508

81% of arrestees who used heroin and/or crack at least once a week said they committed an acquisitive crime in the previous 12 months, compared with 30% of other arrestees. 31% reported an average of at least one crime a day, compared with 3% of other arrestees.509

In 18% of violent crimes reported to the 2004/5 British Crime Survey, the victim believed that the offender was under the influence of drugs. More than a quarter (29%) of robbery victims believed their attacker to be under the influence of drugs.510

Between a third and a half of new receptions into prison are estimated to be problem drug users (equivalent to between 45,000 and 65,000 prisoners in England and Wales).511

A report by the Cabinet Office Social Exclusion Unit found that around 70% of women coming into custody require clinical detoxification and that 65% had used a drug during the year before custody. 49% of women had used crack cocaine and 44% had used heroin compared to 30% of men.512 Rates of using heroin, cocaine or crack were higher (44% to 35%) for prisoners sentenced to less than one year than those serving longer terms.513 However, practitioners report that women may hide or underplay substance misuse through fear of losing their children.

In some inner city local prisons as many as eight out of 10 men are found to have class A drugs in their system on reception514 and in the local women’s prison, Styal, the same number of new arrivals are thought to have drug problems.515

Many prisoners have never received help with their drug problems. According to the Social Exclusion Unit officers at HMP Manchester have estimated that 70% of prisoners come into the jail with a drug misuse problem but that 80% of these have never had any contact with drug treatment services.516

Drug use amongst prisoners in custody is reported to be high. A Home Office study found that four out 10 prisoners said they had used drugs at least once whilst in their current prison, a quarter had used in the past month and 16% in the past week. Cannabis and opiates were the drugs most often used. Almost a third of prisoners reported cannabis use and one in five opiate use in their current prison, while 9% and 10% respectively reported using these drugs in the past week.517

In local and high secure prisons, Prisons Inspectorate surveys showed that over a third of prisoners reported that it was easy to access drugs in prison – and in some it was nearer half.518

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

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Prisoners being held in large prisons find it easier to get illegal drugs than those in small prisons (38% compared to 26%). They are also less likely to know who to contact to get help with drug addiction.\textsuperscript{519}

All prisoners are subject to random mandatory drug tests. 9% of the prison population tested positive from random mandatory drug tests compared with over 20% 10 years ago.\textsuperscript{520} But a Home Office study found that ‘mandatory drug testing results generally underestimate the level of drug misuse as reported by prisoners’.\textsuperscript{521}

Research has found that arrangements for detoxification appear to vary considerably between different prisons.\textsuperscript{522}

Less than a third of prisoners in surveys carried out by the Prisons Inspectorate in local, high secure and women’s prisons reported that they felt their drug or alcohol programme would help them on release.\textsuperscript{523}

Analysis shows that drug treatment programmes in prison, especially psycho-social programmes and therapeutic communities, was associated with a 26% reduction in criminal behaviour.\textsuperscript{524}

Nine out of 10 young adult prisoners say they used drugs prior to imprisonment but only one in three Young Offender Institutions provide intensive drug treatment programmes.\textsuperscript{525}

According to HM Chief Inspector of Prisons, funding for the new integrated drug treatment system, to provide interventions and support for those coming off drugs is nearly 60% less than was hoped for.\textsuperscript{526} Investment in prison treatment in England and Wales has increased from £7m in 1997-98 to £80m in 2007-08.\textsuperscript{527}

Transfers between prisons due to overcrowding often disrupt drug treatment. National Audit Office research found that a third of prisons were unlikely to be able to continue the treatment of prisoners transferred to them.\textsuperscript{528}

Drug use on release from prison is very high. One survey of prisoners who had mostly served short sentences and had used drugs in the 12 months before imprisonment, found that 77% admitted taking illegal drugs since release.\textsuperscript{529}

The Social Exclusion Unit found that the ‘chances of continuing drugs programmes and support on release are very slim’ and concluded, ‘prisoners are often viewed as “new cases” when they are released and have to join the back of the queue’.\textsuperscript{530}

A Home Office study found that the risk of death for men released from prison is forty times higher in the first week of release than for the general population. This is ascribed largely to drug-related deaths. 342 deaths were recorded among their sample group of men in the year after release whereas in a sample matched for age and gender in the general population, only 46 deaths would be expected.\textsuperscript{531}

Offenders who receive residential drug treatment are 45% less likely to reoffend after release than comparable offenders receiving prison sentences.\textsuperscript{532}

\textsuperscript{522} Home Office (2003) Differential substance misuse, treatment needs of women, ethnic minorities and young offenders in prison: prevalence of substance misuse and treatment needs, Home Office Online Report 33/03
\textsuperscript{525} Social Exclusion Unit (2002) Reducing reoffending by ex-prisoners, London: Social Exclusion Unit
\textsuperscript{527} National Audit Office (2002) Reducing reoffending, London: National Audit Office
\textsuperscript{528} Social Exclusion Unit (2002) Reducing reoffending by ex-prisoners, London: Social Exclusion Unit
\textsuperscript{529} Ibid.
\textsuperscript{530} Ibid.
\textsuperscript{531} Drug-related mortality among newly released offenders 1998 to 2000, Home Office online report 40/05
\textsuperscript{532} Matrix Knowledge Group (2007) The economic case for and against prison, London: Matrix Knowledge Group
Alcohol

In almost half of violent crimes (48%) the victim believed the offender or offenders to be under the influence of alcohol.\textsuperscript{533}

Nearly two-thirds of sentenced male prisoners (63%) and two-fifths of female sentenced prisoners (39%) admit to hazardous drinking which carries the risk of physical or mental harm. Of these, about half have a severe alcohol dependency.\textsuperscript{534}

According to HM Chief Inspector of Prisons has said the level of alcohol use on entering custody was not properly assessed in many prisons.\textsuperscript{535}

19% of prisoners surveyed by HM Inspectorate of Prisons reported having an alcohol problem when they entered their prison. It was even higher among young adults (30%) and women (29%). These figures almost certainly underestimate the scale of the problem, as many of those with alcohol problems will fail to recognise or acknowledge them.\textsuperscript{536}

54% of the surveyed prisoners with alcohol problems also reported a problem with drugs, and 44% said they had emotional or mental health issues in addition to their alcohol problems. The correlation with emotional or mental health problems was especially pronounced among the women surveyed.\textsuperscript{537}

Over a quarter of those who came into prison with only an alcohol problem said that they were likely to leave with a drug problem, suggesting that in the absence of either alcohol or treatment, a new dependency had been created. 60% said they would leave with an ongoing alcohol problem.\textsuperscript{538}

Alcohol use is accepted as a key factor in predicting violent reoffending.\textsuperscript{539}

In response to Prison Reform Trust briefing ‘Alcohol and reoffending: who cares?’, in December 2004 the Prison Service published its long awaited Alcohol Strategy for Prisoners. It focuses primarily on improving consistency of measures to prevent future hazardous drinking across the prison estate and builds on existing good practice. But it has not been supported by additional resources.

HM Inspectorate of Prisons has found that a considerable number of establishments have no alcohol strategy. Where strategies existed, inspections often found them inadequate.\textsuperscript{540}

The Inspectorate found that at every stage in prison, the needs of prisoners with alcohol problems are less likely to be either assessed or met than those with illicit drug problems. Services for alcohol users were very limited, particularly for those who did not also use illicit drugs.\textsuperscript{541}

Misuse of alcohol and irresponsible drinking result in economic and social costs in the region of £18–20 billion per year.\textsuperscript{542}

44% of young adults (18–24) are binge drinkers. 27% of binge drinkers admitted committing an offence in 2005 – compared with 13% of drinkers who did not binge.\textsuperscript{543}

Children who have begun binge drinking by the age of 16 are 90% more likely to have criminal convictions by the age of 30.\textsuperscript{544}

HM Chief Inspector of Prisons has said that ‘the growing salience of alcohol as both a health and a criminogenic problem is not yet reflected in national or local substance misuse strategies’.\textsuperscript{545}

\begin{itemize}
  \item \textsuperscript{533} Home Office Statistical Bulletin, 02/06, January 2006: Violent Crime Overview, Homicide and Gun Crime 2004-05, 2nd edition
  \item \textsuperscript{534} Prison Reform Trust (2004) Alcohol and reoffending: who cares? London: PRT
  \item \textsuperscript{536} HM Chief Inspector of Prisons for England and Wales (2010) Alcohol services in prisons: an unmet need, London: HMIP
  \item \textsuperscript{537} Ibid.
  \item \textsuperscript{538} Ibid.
  \item \textsuperscript{539} Ibid.
  \item \textsuperscript{540} HM Chief Inspector of Prisons for England and Wales (2010) Alcohol services in prisons: an unmet need, London: HMIP
  \item \textsuperscript{541} Ibid.
  \item \textsuperscript{542} Home Office Departmental Report 2007, May 2007
  \item \textsuperscript{543} Home Office, Alcohol-related crime and disorder, 2005
  \item \textsuperscript{544} Viner, R. M., and Taylor, B., (2007) Adult outcomes of binge drinking in adolescence: findings from a UK national birth cohort, J Epidemiol Community Health 2007; 61
  \item \textsuperscript{545} HM Chief Inspector of Prisons for England and Wales (2009) Annual Report 2007-08, London: HMIP
\end{itemize}
Housing and employment

15% of men, 19% of women and 10% of young people were not in permanent accommodation before entering custody. 8% of men, 10% of women and 6% of young people were sleeping rough.546

Prior to entering prison, 63% of prisoners were renting from a local authority or housing association.547

According to the Arrestee Survey (2007), 10% of people interviewed had slept rough in the four weeks prior to arrest. For heroin and crack users this figure increased to 24%.548

12% of prisoners depend on housing benefit to help with their rent before they enter custody.549 However, entitlement to housing benefit stops for all sentenced prisoners expected to be in prison for more than 13 weeks. This means that many prisoners have very little chance of keeping their tenancy open until the end of their sentence and lose their housing.

Surveys indicate 30% of people released from prison will have nowhere to live.550 This is despite the fact that stable accommodation can reduce reoffending by over 20%.551

75% of ‘prolific and other priority offenders’ were found to have a housing need compared to 30% for the general offender population.552

People serving short prison sentences are two to three times more likely to reoffend if they do not have suitable housing.

35% of young people aged 16–25 felt a lack of accommodation was the factor most likely to make them offend.553

Women prisoners are particularly likely not to have accommodation arranged for their release. Just 62% of women had accommodation arranged, compared with 90% of young male offenders and 69% of adult men.554

Half of people leaving local prisons and only slightly fewer leaving women’s prisons thought they would have difficulty in finding accommodation on release. Prisoners from Wales can rely on the guarantee of accommodation provided by the Welsh Assembly.555

Fewer women than men in prison were returning to rented or owned property and more to temporary accommodation with family and friends.556

Many prisoners do not receive advice on housing. A Big Issue survey of its vendors found that 13% had received housing advice and the House of Commons Home Affairs Committee found that only 19% of prisoners received advice or guidance about accommodation.557

Prisoners held in large prisons are much less


547. Ibid.
549. Ibid.
553. Ibid.
likely to receive help arranging accommodation than those held in small prisons.\textsuperscript{558}

130 out of 137 prisons have access to housing advice services, but in a 2006 survey only 56\% reported that their housing advice service could meet demand.\textsuperscript{559}

\textbf{18\% of clients in an average homelessness project are prison leavers.}\textsuperscript{560}

\textbf{49\% of prisoners with mental health problems have no fixed address on leaving prison.} Of those who had a secure tenancy before going to prison, 40\% lost it on release.\textsuperscript{561}

\textbf{A lack of accommodation can also severely hinder former prisoners’ chances of finding employment.} Almost one quarter of employers would not consider employing a homeless person.\textsuperscript{562}

\textbf{Homelessness can also prevent former prisoners from accessing support services such as benefits or registering with a GP.}\textsuperscript{563}

\textbf{Getting ex-prisoners into stable housing can act as a gateway to effective resettlement.} Home Office research has found that prisoners who have accommodation arranged on release are four times more likely to have employment, education or training arranged than those who do not have accommodation in place.\textsuperscript{564}

\textbf{37\% of people are unemployed at the time of imprisonment – around seven times the national unemployment rate.} 13\% are unable to work because of long-term sickness or disability. 13\% of prisoners report never having had a paid job before custody.\textsuperscript{565}

\textbf{Around two-thirds of those who do have a job lose it whilst in custody.}\textsuperscript{566}

\textbf{People with a criminal record are part of the ‘core jobless group’ that more than 60\% of employers deliberately exclude when recruiting.}\textsuperscript{567}

\textbf{Prisoners being held in small prisons are more likely to know who to contact for help in finding a job than those held in large prisons (47\% compared with 36\%).}\textsuperscript{568}

\textbf{In 2008–09, 27\% of men and 13\% of women entered employment on release from prison.}\textsuperscript{569}

\textbf{58\% of women and 53\% of men in prison identified unemployment and lack of skills as issues contributing to their offending.}\textsuperscript{570}

\textbf{A Home Office study which followed up prisoners between two and 12 months after release found that only half had done some paid work; 2\% were on a government training scheme, and 48\% had not found any work.} Of those who had done some paid work, nearly two-thirds found it after leaving prison. Only 9\% arranged a job whilst in custody.\textsuperscript{571}

\textbf{Prisoners who have problems with both employment and accommodation on release from prison had a reoffending rate of 74\% during the year after custody, compared to 43\% for those with no problems.}\textsuperscript{572}

\textbf{Breaking the circle, published in 2002, is the Home Office’s consultation on important amendments to the Rehabilitation of Offenders Act (1974).} To date these proposals have not been carried forward in legislation.

\begin{itemize}
\item \textsuperscript{559} Homeless Link (2009) Criminal justice policy briefing, London: Homeless Link
\item \textsuperscript{560} Ibid.
\item \textsuperscript{561} Revolving Doors Agency (2002) Where Do They Go? Housing, Mental Health and Leaving Prison, London: Revolving Doors
\item \textsuperscript{562} Citizens Advice (2007) Locked Out: CAB evidence on prisoners and ex-offenders, London: Citizens Advice
\item \textsuperscript{563} Social Exclusion Unit (2002) Reducing reoffending by ex-prisoners, London: Social Exclusion Unit
\item \textsuperscript{567} Home Office (2001) Through the Prison Gate: a joint thematic review by HM Inspectorates of Prisons and Probation, London: HMIP
\item \textsuperscript{568} Chartered Institute of Personnel and Development, Labour Market Outlook, Summer 2005
\item \textsuperscript{570} Homelessness can also prevent former prisoners from accessing support services such as benefits or registering with a GP.
\item \textsuperscript{571} Breaking the circle, published in 2002, is the Home Office’s consultation on important amendments to the Rehabilitation of Offenders Act (1974). To date these proposals have not been carried forward in legislation.
\end{itemize}
48% of prisoners are at, or below, the level expected of an 11-year-old in reading, 65% in numeracy and 82% in writing. Nearly half those in prison have no qualifications at all.

Half of all prisoners do not have the skills required by 96% of jobs and only one in five are able to complete a job application form.

41% of men, 30% of women and 52% of young offenders were permanently excluded from school.

In 2002–03 an average of £1,185 per prisoner per year was spent on education in custody. This is less than half the average cost of secondary school education at £2,590 per student per year, which many prisoners have missed. Government funding for prison education more than doubled in five years from £47.5m in 1999–2000 to £122m in 2004–2005.

In 2009–10, the government spent £178 million on education and training in prison.

According to the Offenders Learning and Skills Unit in the Department for Education, just under a third of the prison population is attending education classes at any one time.

The National Audit Office has found that only around a fifth of prisoners with serious literacy or numeracy needs enroll on a course that would help them.

Research by NATFHE and the Association of College Lecturers has found that only one third of education managers regularly receive prisoners’ records following transfers.

Ofsted’s latest annual report on education in England noted that only two prisons were judged to be inadequate, compared with 24% in the previous year. For the first time one adult prison was assessed as outstanding.

The Social Exclusion Unit found that basic skills learning can contribute to a reduction in reoffending of around 12%. However, the House of Commons education and skills committee has expressed concern that ‘the heavy concentration on basic skills qualifications is based on little more than a hunch’ and urged the government to undertake more research.

In 2007–08 the Inspectorate found that only half the prisoners in training prisons felt that their education would help them on release, and even fewer (42%) felt that they had gained useful vocational skills.

Just 36% of people leaving prison go into education, training or employment.
Financial exclusion

The Ministry of Justice has identified ‘finance, benefit and debt’ as reasons for reoffending. Recent research from the Legal Services Research Centre (LSRC), has found that the relationship between financial exclusion and a prison sentence is ‘compelling’.  

Assessments for 2007 suggest over 23,000 offenders had financial problems linked to their offending.  

Home Office statistics on women in the criminal justice system found that the most common reason given for offending by women (54% of cases) was lack of money.  

In her most recent annual report, HM Chief Inspector of Prisons said that ‘finance, benefit and debt remained one of the weakest resettlement pathways, often focusing on little more than closing down tenancies and ensuring that benefits were discontinued’.  

40% of prisoners surveyed by the LSRC report having no current account or other financial products, compared to 5% of people interviewed in the community.  

90% of people interviewed in prison report not receiving any advice about their financial difficulties, compared to 31% of those interviewed in the community.  

48% of people in prison have a history of debt which can present problems for both prisoners and families on release.  

38% of people interviewed by the LSRC report that their debt problems had got worse since being in prison, and 12% report falling into debt since being in prison.  

In 2005–06, Citizens Advice workers in prisons reported seeing 1,100 people with debt-related enquiries, nearly half of which were arrears on credit cards or unsecured loans.  

In a survey of prison outreach services run by Citizens Advice, all respondents said that debt is one of the top five issues that can cause reoffending or poor reintegration into society.  

HM Prisons Inspectorate has found that debt advice has reduced in many prisons over the year 2008–09.  

One significant area of need for people leaving prison is insurance. All sentenced prisoners leave custody with an unspent conviction, while they are still in their rehabilitation period. This typically ranges from 10 years following a six month sentence, to forever for prison sentences over 30 months. Disclosure of unspent convictions almost always leads to refusal for cover, or unaffordable premiums, both for former offenders and for the households to which they return on leaving prison. This is a barrier to resettlement. Families have to forfeit their buildings and home contents insurance. Non-disclosure is illegal, and will invalidate insurance or lead to prosecution.  

62% of people in prison report claiming benefits in the 12 months before custody.  

The amount of discharge grant has remained fixed at £46.75 since 1997. According to Citizens Advice, ‘this amount is insufficient to last for a week, let alone the 11 to 18 days which are the target benefit claim processing times’. A recommendation to close this ‘benefit gap’ was made by the Social Exclusion Unit in 2002.  

593. Ibid.  
596. Ibid.  
602. www.prisonreformtrust.org.uk
Overall there are around 24,000 work places for prisoners across the estate in workshops, catering, cleaning, land-based activities and day release programmes – most entail low grade menial work. This means that at most, under a third of the prison population is engaged in work activities at any one time.

An average of 10,000 prisoners are employed in nearly 300 workshops across the prison estate in a diverse range of industries that include; clothing and textiles, woodwork, engineering, print and laundries.

40% of the 10,000 prisoners who work across these industries work for ‘contract services’ and are producing goods and services for an external, commercial market. This can range from laundry contracts for hospitals to manufacturing camouflage jackets for the Ministry of Defence.

Clothing and textiles is the biggest employer in prison workshops with roughly 3,000 prisoners involved across 60 prisons. Almost all (95%) of textile products are for the internal market.

An internal Prison Service review of workshops suggested that the focus should be almost totally on the internal market as demand for goods was so high due to the rise in prison numbers over the last decade.

There are around 1,500 people in the open prison estate who go out to work in full time paid employment during the day on day release. They are, generally, long term prisoners who are in the final stages of their period in custody and preparing to return to the community.

For 10 years, the average rate of pay for employed prisoners has been £8 per week. The Prison Service sets a minimum rate of pay which is currently £4.00 per week but each prison has devolved responsibility to enable it to set its own pay rates.

The Prison Service has acknowledged that prison industries have ‘rather got left behind by other developments within the system’ and that ‘providing work opportunities for prisoners is not currently a central and essential part of the prison regime’.

The PRT Barred Citizens survey found that among male prisons, between 47% (local prisons) and 75% (open prisons) provided opportunities for peer drug support. Among the seven prisons for women responding to the survey only one (14%) provided opportunities for prisoners to provide peer support for drug misusers.

1,525 Samaritans Listeners were selected and trained during 2008 and there are 1,380 active Listeners in place. Listeners play an invaluable role in making prisons safer by offering emotional support to fellow prisoners in crisis.

There were 61,410 Listeners contacts during 2008.

There is considerable scope to develop more opportunities for volunteering, peer support, representation and prisoner councils.

603. House of Commons Home Affairs Committee, Rehabilitation of Prisoners, First Report of Session 2004-05
604. ‘Service on the verge of industrial revolution’ Prison Service News, September 2003
605. Ibid.
606. Ibid.
608. House of Commons Home Affairs Committee, Rehabilitation of Prisoners, First Report of Session 2004-05
610. House of Commons, Home Affairs Committee, Rehabilitation of Prisoners, First Report of Session 2004-05
611. Prison Reform Trust survey conducted 2009, findings to be published in forthcoming report
612. NOMS, Safer Custody News, September/October 2009
613. Ibid.
In March 2004 in a case brought by life sentenced prisoner, John Hirst, the European Court of Human Rights ruled that the ban on sentenced prisoners voting violated Article Three of the European Convention on Human Rights. The Prison Reform Trust lodged several formal complaints with the Council of Europe about the UK Government’s non-compliance with this 2004 ruling.615

After a succession of warnings, on 3 June 2010 The Committee of Ministers at the Council of Europe gave the UK coalition government three months in which to overturn the blanket ban on sentenced prisoners voting. Consideration of the case will be resumed at its next meeting in September 2010, 'in light of a draft interim resolution to be prepared by the Secretariat if necessary'.616

The Prisons Inspectorate found that many prisons did not have a disability policy and it was rare to find any form of needs analysis or consultation with prisoners to help prisons carry out their duties under the Disability Discrimination Act (2005).617

Following a judicial review by a disabled inmate (who had not been provided with accessible cell or motorised wheelchair) the Prison Service accepted that both PSO 2855 (disabled prisoners) and PSO 0900 (categorisation and allocation) would be amended to comply with the requirements of the DDA. This resulted in new guidance being issued in PSI 31/2008: allocation of prisoners with disabilities.

Prisoners with learning disabilities and difficulties are discriminated against personally, systemically and routinely as they enter and travel through the criminal justice system.618

Criminal justice staff and those responsible for providing services are failing in their duty to promote equality of opportunity and to eliminate discrimination. As such they are not complying with the requirements of the DDA and the Disability Equality Duty in particular.

The Corporate Manslaughter and Corporate Homicide Act sets out a new offence for convicing an organisation where a gross failure in the way activities were managed or organised results in a person’s death. The majority of the Act was implemented on 6 April 2008, with the exception of section 2(l)(d) which makes the duty of care a custody provider owes to a person who is detained a relevant duty of care.619

Breaking the circle (2002), was the Home Office’s consultation on important amendments to the Rehabilitation of Offenders Act (1974). To date these proposals have not been carried forward in legislation.

A five year follow-up report by the National Offender Management Service (NOMS) on race equality in the Prison Service concludes that while the actions taken over the last five years have generated substantial improvements, it also acknowledges that the experience of BME prisoners and staff has not been transformed.620

HM Inspectorate of Prisons has found that ethnicity is not recorded in clinical records. Staff concluded that ethnicity was not relevant as all patients were treated the same way, which contravenes the ‘Nursing and Midwifery Council Code of Professional Conduct’ on recognizing the diverse needs of patients.621
This chart is drawn from available international government sources and is subject to amendment.
NOMS has no published policy on gender identity or the management, treatment and care of transgender offenders.\(^\text{622}\)

Data on the sexual orientation of offenders is not routinely collected by prisons or probation areas. It is therefore difficult to assess the extent to which NOMS is meeting its commitment to equality of treatment.\(^\text{623}\) NOMS has no formal policy regarding sexual orientation issues and no national system for reporting homophobic incidents. NOMS may be in breach of equalities legislation by not formally addressing the needs of these groups of people.\(^\text{624}\)

The Prison Service did not quite meet its overcrowding target, having 24.1\% of the prison population held in ‘accommodation units intended for fewer prisoners’, the target was under 24\%.\(^\text{625}\)

The Prisons and Probation Ombudsman has found that in the 92 cases of deaths from natural causes in prison studied, restraints were used during final inpatient stays on 29 out of 52 occasions.\(^\text{626}\)

Targets on serious assaults, ethnic diversity among the staff were not met. Some progress towards them had been made in all areas.

In 2006 there were 11,520 recorded prisoner on prisoner assaults and 3,123 recorded prisoner on officer assaults.\(^\text{627}\) Prisoners in large prisons were more likely to say that they had been assaulted or insulted by a member of staff or by another prisoner than those held in small prisons.\(^\text{628}\)

Between February 2009 and January 2010, 4,461 mobile phones and 4,325 SIM cards were sent to a central prison service unit for analysis. Justice minister Maria Eagle added that ‘these figures understate the actual number of finds’.\(^\text{629}\)

The average number of working days lost due to staff sickness in the Prison Service 2006–07 was 11.6.\(^\text{630}\)

In 2009 there were 151 disciplinary cases and 170 dismissals of prison officers in Prison Service prisons. There is no requirement for privately managed prisons to notify NOMS headquarters of any disciplinary action taken against their employees.\(^\text{631}\)

The number of full-time equivalent prison officers employed between 1997 and 2009 has increased by 24\%. In the same period the prison population has increased by 37\%.\(^\text{632}\)

There has been a high turnover of prison governors. In the five years to March 2002 just under a third of all prisons (44) had had four or more governors or acting governors in charge.\(^\text{633}\)

The average tenure for governing governors in an establishment is 2.4 years.\(^\text{634}\)

By 2009 the number of minority ethnic staff in the Prison Service overall was 6\%. The number of black and minority ethnic staff in governor grade positions represents 4\% of all governor grades.\(^\text{635}\)

61\% of black and minority ethnic prison staff have experienced direct racial discrimination while employed in the service. Over half chose not to report it.\(^\text{636}\)

Stonewall’s 2008 workplace equality index ranked the Prison Service as 17th in Britain’s top 100 employers for lesbian, gay, bisexual and transgendered people.\(^\text{637}\)

\(\text{623. Ibid.}\)
\(\text{624. Ibid.}\)
\(\text{627. Hansard, House of Commons written answers, 30 October 2007: C 1150W}\)
\(\text{629. Hansard HC, 3 March 2010, c1484W}\)
\(\text{631. Hansard HC, 23 February 2010 c501W}\)
\(\text{632. Hansard HC, 27 October 2009 c336W}\)
\(\text{633. Hansard HC, 31 January 2003 c1091W}\)
\(\text{634. Hansard HC, 2 November 2009 c746W}\)
\(\text{635. Ministry of Justice, (2009), Statistics on Race and the Criminal Justice System 2007/08 London: Ministry of Justice}\)
The UK has the most privatised prison systems in Europe. In England and Wales 9,618 prisoners (11.3% of the prisoner population) are held in private prisons.  

Private prison contracts are shared between just three companies: Serco operates, Ashfield, Dovegate, Lowdham Grange and Doncaster; G4S operates Altcourse, Parc, Rye Hill, and The Wolds; Kalyx operates Bronzefield, Forest Bank, and Peterborough.  

Wolds and Doncaster are let on 10 year management-only contracts; the remaining nine are financed, designed, built and operated by the private sector on 25-year contracts.

Serco was selected as preferred bidder for contracts to provide and operate two new prisons at Belmarsh West, London, and Maghull, Liverpool, with a combined value to the company of around £600 million over 26.5 years. The company ‘expects to sign these contracts by summer 2010, and construction is expected to be completed in the second half of 2011’.  

In April 2009 the government announced plans to scrap three proposed 2,500 place ‘titan’ prisons in favour of five 1,500-place prisons. The first of these prisons could be located on the site of the former Runwell secure psychiatric hospital, Essex. Sites for the remaining prisons are being sought in London, north-west England, west Yorkshire, and north Wales. All five prisons are being commissioned under the Private Finance Initiative.

The estimated capital cost of constructing five 1,500-place prisons at 2008–09 prices is ‘around £1.2 billion, excluding VAT and site purchase costs.’ In addition, a number of existing public prisons are to be competitively tendered, along with Doncaster and The Wolds when their contracts are due to expire. Some 25% of the prison population of England and Wales could be held privately by 2014 if all new private prisons come on stream as scheduled and if the private sector wins all tendering competitions.

The operating costs of privately managed prisons in 2008–09 was £309.0 million. According to a parliamentary written answer, the costs of private prisons per place are higher than public sector prisons in most categories:

<table>
<thead>
<tr>
<th>Function</th>
<th>Contracted sector cost per place £000s</th>
<th>Public sector cost per place £000s</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male category A</td>
<td>26,813</td>
<td>25,881</td>
</tr>
<tr>
<td>Male category B</td>
<td>20,855</td>
<td>21,976</td>
</tr>
<tr>
<td>Female closed</td>
<td>44,400</td>
<td>34,617</td>
</tr>
<tr>
<td>Male juvenile</td>
<td>48,669</td>
<td>42,143</td>
</tr>
<tr>
<td>Male local</td>
<td>33,805</td>
<td>31,912</td>
</tr>
</tbody>
</table>

When questioned whether the government proposes to reduce the running costs of contracted-out prisons at the same level as reductions being made in the public prison service, Lord Bach, the parliamentary under-secretary of state, Ministry of Justice replied: ‘services provided by prisons run by private sector operators are stipulated...’

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639. NOMS Monthly Bulletin, May 2010
641. Hansard HC, 2 December 2009, c802W
642. Hansard HC, 9 December 2009, c433W
643. Hansard HC, 9 January 2007, c546W
and priced within a contract and therefore cannot be varied in the same way as public sector prisons, without agreement between the authority and the contractor.  

In 2006, basic pay for private sector custody officers was 39% less than their public sector equivalents. Taking a valuation of benefits such as pensions and holidays into account, the public sector advantage rose to 61%. 

An average of 40% of private sector staff have over five years’ service. High staff turnover remains a problem in a number of private prisons.

In 2006 resignations of prison custody officers and detention custody officers in the private sector averaged 24%, with very large variations between establishments.

According to the National Audit Office, staffing problems mean private prisons can struggle to create a safe environment.

for prisoners. It noted high levels of assaults at Dovegate, Ashfield, Rye Hill, Forest Bank, and Altcourse. It said that prisoners in these jails expressed concerns about their safety due to the relative inexperience of staff.

Healthy prison and establishment assessments by HM Inspectorate of Prisons between 1 September 2008 and 31 August 2009:

<table>
<thead>
<tr>
<th>Prison</th>
<th>Safety</th>
<th>Respect</th>
<th>Purposeful</th>
<th>Resettlement</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parc</td>
<td>3</td>
<td>2</td>
<td>2</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Ashfield</td>
<td>3</td>
<td>3</td>
<td>4</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Peterborough (f)</td>
<td>3</td>
<td>2</td>
<td>3</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Peterborough (m)</td>
<td>3</td>
<td>2</td>
<td>3</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Dovegate</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Lowdham Grange</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Dovegate TC</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>2</td>
<td></td>
</tr>
</tbody>
</table>

Private prisons’ performance in the third quarter of 2009–10 according to the most recent Prison Service performance ratings was as follows:

<table>
<thead>
<tr>
<th>Establishment</th>
<th>Previous qtr</th>
<th>Qtr 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Altcourse</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>Ashfield</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Bronzefield</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Doncaster</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Dovegate</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Forest Bank</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Lowdham Grange</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>Parc</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Peterborough</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Rye Hill</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Wolds</td>
<td>3</td>
<td>3</td>
</tr>
</tbody>
</table>
Estimates of future prison numbers vary widely. By the end of June 2015 the demand for prison spaces is projected to increase to between 83,300 and 93,900.652

On 5 December 2007 in its response to Lord Carter’s review of prisons the government announced an additional 10,500 places to be built by 2014.653 This is on top of the existing 9,500 capacity programme. The Labour government was committed to building new prisons to increase the net capacity of the prison estate to 96,000 by 2014.654

In April 2009 the Labour government announced plans to scrap three proposed 2,500 place ‘titan’ prisons in favour of five 1,500-place prisons to be built as part of the ‘new prisons programme’. The first of these prisons could be located on the site of the former Runwell secure psychiatric hospital, Essex. Sites for the remaining prisons are being sought in London, north-west England, west Yorkshire, and north Wales. All five prisons are being commissioned under the Private Finance Initiative.

Over 3,600 prison places are currently planned for delivery in 2010 as part of the ‘core capacity programme’.655 The ‘core capacity programme’ aims to deliver a further 1,400 places in 2011 and 2,600 in 2012.656

In an interview with The Times, Jack Straw then Justice Secretary and Lord Chancellor said that ‘the government will not be able to build its way out of the prison crisis ... the only way the pressure could be relieved was by sending fewer people to jail and using more non-custodial sentences’.657

Prior to the formation of the coalition government, both the Conservatives and the Liberal Democrats examined the need to reduce prison numbers.658

In 2007, Ken Clarke, now Justice Secretary called for ‘a change of culture in which the platitudes about community sentences and making prison only for those who need it are turned into reality by returning proper discretion to the courts and ensuring that prisons are used only for violent, dangerous and recidivist criminals’.659

Provision of additional prison places under the ‘core capacity programme’ for 2010

Source: Hansard HC, 24 February 2010, c587W

655. Hansard HC, 24 February 2010, c587W
656. Hansard HC 8 March 2010, c93W
659. Hansard, HC19 June 2007, c1251 and Hansard HC 27 March 2007, c1377
Community solutions

In 2007–08, 55,771 people successfully completed community payback sentences. This amounts to over eight million hours of labour, which was used to benefit the community.660

The total number of community sentences has seen a steady increase between 1997 and 2007 with the number increasing by 40% from 139,990 to 196,424.661

The government acknowledges that ‘…sentencers have increased the use of community punishments, but only for those who would previously have got fines…’662

Since the creation of the Ministry of Justice, £630,000 has been spent on advertising community payback across 59 pioneer areas in England and Wales.663

The average length of a community order is 14 months. 85% of orders comprise one or two requirements. The two most frequently used are supervision (37%) and unpaid work (31%).664

A recent study has indicated that nearly half of those serving sentences in the community have mental health needs. Half have an alcohol problem and a quarter have a drug problem.665

In 2006, only 725 mental health treatment requirements (MHTRs) were issued out of a total of 203,323 requirements. This compares with 11,361 drug treatment requirements. One of the most substantial factors preventing courts from issuing an MHTR is the difficulty in obtaining access to psychiatric assessment, on which the requirement depends. Many offenders are not given an MHTR because their mental health needs have not been identified.666

Two in three people, of over 1,000 polled in an ICM survey for SmartJustice, think that prisons are universities of crime – and 65% think they are not effective in reducing young people’s offending. Instead, the vast majority (eight out of 10) back mental health and drug or alcohol treatment.667

Nine out of 10 want better support of young people by parents and more constructive activities for young people to stop them getting into crime.668

An ICM public opinion poll commissioned by SmartJustice in March 2007 found that, of 1,006 respondents, 86% supported the development of local centres for women to address the causes of their offending. Over two thirds (67%) said that prison was not likely to reduce offending.669

An Impact Assessment of the Prolific and other Priority Offender Programme shows that conviction rates for 7,800 offenders who had been through an intensive programme of supervision fell by 62% after 17 months of the scheme. The Prolific and other Priority Offender Programme (PPO), which was launched in September 2004, aims to prevent prolific offenders from reoffending by monitoring, training, accommodation and drug treatment over a period of two years.670

660. Hansard HC, 8 May 2009, c483W
Public perceptions of crime

The UK spends more per head on law and order than any other county in the Organisation for Economic Co-operation and Development (OECD), including the US, France and Germany. Total spending for public order and safety by the government was £29.5 billion in 2006.671

Actual crime rates have fallen since 1997 with crime overall reduced by 32%.672

There are now record police numbers, 141,000 compared with 127,000 in 1997.673

However, most people do not believe these figures: only one in five is willing to accept that crime is falling and less than half (43%) believes there are more police.674

83% of people think violent crime is rising, despite the proportion of people ‘very worried about’ violent crime falling from 25% in 1998 to 17% in 2006-07.675

British people have the lowest confidence in their government when it comes to crime. Only 25% of British people feel confident in their government when it comes to ‘cracking down on crime and violence’ compared to 44% in the US, 46% in France, and 48% in Germany.676

Between February and April 2010, 25% of interviewees thought crime and law and order were the most important issues facing Britain today.677

60% of those who think crime is rising say it is because of what they see on television, and 46% because of what they read in the newspapers.678

45% of crimes reported in newspapers in the UK involve sex or violence, compared with only 3% of actual reported crime.679

The British Crime Survey 2008–09 shows that there is a gap between people’s judgment on the likelihood of becoming a victim of crime and the actual risk to them. 24% of people believed they were fairly or very likely to be a victim of car crime, when the actual risk was 6%.680

People have more positive perceptions of crime locally than nationally; 75% thought crime in the country as a whole was rising, compared with 36% who thought crime in their local area had increased.681

Young people are more likely than those over 65 to say crime was a problem in their local area.682

Only 11% of people surveyed believe that increasing the number of offenders in prisons would ‘do most’ to reduce crime in Britain. The public is more focused on intervening at the level of families and young people, with 55% thinking that better parenting, and 42% thinking that more constructive activities for young people would have most effect.683

An ICM poll of 1,000 victims of crime commissioned by SmartJustice in partnership with Victim Support, shows that almost two thirds of victims of crime do not believe that prison works to reduce non-violent crime.684

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675. Ibid.
679. Ibid.
681. Ibid.
683. Ibid.
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For more information about the Bromley Briefings Prison Factfile contact Sarah Capel: sarah.capel@prisonreformtrust.org.uk

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