

Prison Briefing - May 2010



The last time new justice secretary, Ken Clarke was in charge of prisons and penal policy, as home secretary, the average prison population (1992-93) was 44,628. Figures just released by the Prison Service show that prison numbers for England and Wales have now exceeded 85,000.

With the coalition government facing tough choices, reversing the unsustainable trend in ever expanding prison numbers will be an urgent priority. Each new prison place costs £170,000 to build and maintain, and the cost per prisoner per year is £45,000.

As the prison population accelerated after 1993, reoffending rates worsened – two-thirds of people are now reconvicted within two years of leaving prison. The National Audit Office estimates that reoffending by people recently released from prison costs the taxpayer between £9.5 billion and £13 billion a year.

There is broad political 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 and, at the other end of the spectrum, improving prisoner rehabilitation and cutting reoffending on release. New ministers will need to review the growth in indeterminate sentencing, recalls for breach of license and any unnecessary use of custodial remand.

A moratorium on prison building would give the coalition government enough time to draw on justice reinvestment lessons from abroad and, nearer home, time to restructure the system so that local authorities, voluntary organisations, police and probation services work more closely together to develop community solutions to crime that inspire public and judicial confidence.

On 14 May 2010, the prison population in England and Wales was 85,009.¹ When Ken Clarke was last home secretary from 1992-93, the average prison population was 44,628.²

In France, with the same population as Britain, prison numbers are 59,655 and in Germany with over 20 million more people, 72,043.³

The prison system as a whole has been overcrowded in every year since 1994.⁴ 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.⁵

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%.⁶ 74% of children released from custody in 2008 reoffended within a year.⁷

In 2007-08, reoffending by all recent ex-prisoners cost the economy between £9.5 billion and £13 billion and as much as three quarters of this cost can be attributed to former short-sentenced prisoners: some £7 billion to £10 billion a year.⁸

Offenders who receive residential drug treatment are 45% less likely to reoffend after release than comparable offenders receiving prison sentences.⁹

The overall average cost per prison place, including prison related costs met by the National Offender Management Service, but excluding expenditure met by other government departments such as health and education, is £45,000.¹⁰

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.¹¹

During their time at school 7% of children experience their father’s imprisonment.¹² In 2006, more children were affected by the imprisonment of a parent than by divorce in the family.¹³

People in prison

At the end of March 2010 there were 9,823 young people aged 18-20 years old in prisons in England and Wales. There were 2,148 children aged 15-18 years old in custody, 470 fewer than a year ago.¹⁴

71% of children in custody have been involved with, or in the care of, local authority social services before entering custody.¹⁵

40% of children in custody in England and Wales have previously been homeless.¹⁶

23% of young offenders have learning difficulties (IQ below 70) and 36% borderline learning difficulties (IQ 70-80%).¹⁷

86% of boys and 79% of girls in custody aged between 15 and 18 years old had at some time been excluded from school.¹⁸

Fewer than half of young people in prison report that they had two or more visits a month.¹⁹

Having good contact with family can reduce the likelihood of reoffending by 39%.²⁰

The number of women in prison has increased by 44% over the past decade, compared to 26% for men.²¹ On 14 May 2010 the women's prison population stood at 4,316.²² In 1992 it was 1,536.²³

Of all the women who are sent to prison, 37% say they have attempted suicide at some time in their life.²⁴ 51% have severe and enduring mental illness, 47% a major depressive disorder, 6% any psychosis and 3% schizophrenia.²⁵

Over half the women in prison report having suffered domestic violence and one in three has experienced sexual abuse.²⁶

In 2008, there were 24,686 recorded incidents of self-harm: 11,747 for men and 12,938 for women.²⁷

On 30 June 2008 27% of the prison population, 22,406 prisoners, was from a minority ethnic group.²⁸ This compares to one in 11 of the general population.

20 – 30% of all offenders have learning disabilities or difficulties that impair their ability to cope with the criminal justice system.²⁹

48% of prisoners are at, or below, the level expected of an 11 year old in reading, 65% in numeracy and 82% in writing.³⁰

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.³¹

At the end of March 2010 there were 11,367

foreign national prisoners (defined as non-UK passport holders), 13% of the prison population.³²

The number of sentenced prisoners aged 60 and over rose by 142% between 1998-2008.³³

In HM Inspectorate of Prison surveys, 15% of people in prison reported having a disability.³⁴

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 2010.³⁵

Around 55% of those received into custody are problematic drug users. That equates to 70,000 a year, or 39,000 at any one time. According to the Home Office that means around one sixth of problematic drug users are in prison at any one time.³⁶

19% of prisoners reported having an alcohol problem when they entered prison. It was even higher among young adults (30%) and women (29%).³⁷

Just 36% of people leaving prison go into education, training or employment.³⁸

48% of people in prison have a history of debt which can present problems for both prisoners and families on release.³⁹

Profile

England and Wales has an imprisonment rate of 154 per 100,000 of the population and Scotland has an imprisonment rate of 149 per 100,000. France has an imprisonment rate of 96 per 100,000 and Germany has a rate of 88 per 100,000.⁴⁰

On 7 May 2010, the prison population in Scotland was 7,880.⁴¹ In 2008-09 the average daily population totalled 7,835, an increase of 6% on 2007-08, and the highest level ever recorded.⁴²

The prison population in Northern Ireland on 10 May 2010 was 1,447.⁴³ Since reaching a low point of 926 in 2001, the prison population in Northern Ireland has risen steadily.⁴⁴

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.⁴⁵

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%).⁴⁶

Since 1997, 27,000 additional prison places have been provided, 6,700 of them since April 2007.⁴⁷

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 2008.⁴⁸

134,000 people entered prison in England and Wales in 2008 – up by 7% from 2007.⁴⁹

In 2008, 57,417 people were remanded into custody to await trial.⁵⁰ In 2008, over half of all children who were remanded in custody were subsequently acquitted or given a community sentence.⁵¹

28,892 people entered prison in 2008 to serve sentences up to and including three months. This is up 16% from 2007.⁵²

There were 12,822 people serving indefinite sentences at the end of March 2010, a rise of 8% on the year before.⁵³ This compares with fewer than 4,000 in 1998 and 3,000 in 1992.⁵⁴

On 5 February 2010, there were 6,047 people serving indeterminate sentences for public protection (IPP).⁵⁵ Nearly 2,500 of these were being held beyond their tariff expiry date.⁵⁶ 476 were two years or more over tariff expiry.⁵⁷

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.⁵⁸

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'.⁵⁹

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 46.⁶⁰

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.⁶¹

Price

The total cost of the criminal justice system rose from 2% of GDP in 1997 to 2.5% in 2007. That is a higher per capita level than the US or any EU country.⁶²

Total prisons expenditure increased from £2.843bn in 1995 to £4.325bn in 2006 (all at 2006 prices).⁶³

The cost of the crown court process of imposing a prison sentence is approx. £30,500, made up of court and other legal costs.⁶⁴

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 £60,000.⁶⁵

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.⁶⁶

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.⁶⁷

The total 2009-10 budget for public prisons is £1,980m and for private prisons is £284m.⁶⁸ Private prisons hold 11.2% of the total prison population and receive 12.5% of the prisons budget.

In 2008-09 the prison service's capital expenditure was 18% over budget.⁶⁹

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.⁷⁰

Imprisoning mothers for non-violent offences damages children and costs the state more than £17 million over a 10 year period.⁷¹

Performance and plans

The size of the prison was the most influential factor when predicting whether a prison would be assessed as performing 'well'. A prison with a population of 400 prisoners or under was four times more likely to perform 'well' for safety and respect than a prison with a population of over 800.⁷²

Following an extensive building programme on existing sites, 39 out of 140 prisons now hold over 800 prisoners and 24 hold over 1,000.⁷³

Public prisons were over five times more likely to perform well for safety than private prisons.⁷⁴

The average tenure for governing governors in an establishment is 2.4 years.⁷⁵

In Prisons Inspectorate surveys, fewer than 20% of men reported spending the mandated 10 hours out of their cell on a week day.⁷⁶

The previous Labour government planned to increase the net capacity of the prison estate to 96,000 by 2014.⁷⁷

This would take the rate of imprisonment in England and Wales to 178 per 100,000 of population – the highest in Western Europe. It would also be beyond Bulgaria (124), Romania (126), Slovakia (151), and Hungary (152).⁷⁸

7,500 places are planned be delivered through five new 1,500-place prisons. Plans for two of these prisons are underway and they will both be privately built and managed.⁷⁹

An impact assessment of the prolific and other priority offender programme showed that conviction rates for 7,800 offenders who had been through an intensive community programme of supervision fell by 62% after 17 months of the scheme.⁸⁰

Public perception

Actual crime rates have fallen since 1997 with crime overall reduced by 32%.⁸¹

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 newspapers.⁸²

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.⁸³

Only 11% of people believe that increasing the number of offenders in prisons would ‘do most’ to reduce crime in Britain. 55% think that better parenting, and 42% think that more constructive activities for young people would have most effect.⁸⁴

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.⁸⁵

End notes:

1. NOMS, Prison Population and Accommodation Briefing for 14 May 2010
2. HMPS (1993) Prison Service Annual Report April 1992-1993, London: HMSO
3. ICPS, <http://www.kcl.ac.uk/schools/law/research/icps>
4. Home Office (2001) Prison Statistics 2000, London: Home Office, and MoJ (2009) OMCS 2008, London: TSO
5. Hansard, 21.04.2009, C. 622W
6. MoJ (2010), Reoffending of adults: results from the 2008 cohort, London: TSO
7. MoJ (2010), Reoffending of juveniles: results from the 2008 cohort, London: TSO
8. NAO (2010) Managing offenders on short custodial sentences, London: TSO
9. Matrix Knowledge Group (2007) The economic case for and against prison, London: Matrix Knowledge Group
10. Hansard, 3.03.2010: C. 1251W,
11. Hansard, 12.10.2009: C. 141W
12. Department for Education and Skills, (2003) Every Child Matters, London: TSO
13. Action for Prisoners' Families, CLINKS, Prison Advice & Care Trust, Prison Reform Trust (2007), The children and families of prisoners: London: PRT
14. MoJ (2010) Population in Custody, March 2010, London: MoJ
15. Youth Justice Board, Accommodation needs and experiences, 2007, as cited in Legal Action, February 2008,
16. Ibid.
17. Harrington, R., and Bailey, S. (2005) Mental health needs and effectiveness provision for young offenders in custody and in the community. London: YJB
18. Parke, S., (2009) HMIP and YJB, Children and Young People in Custody 2006-2008, an analysis of the experiences of 15-18-year-olds in prison, London: HMIP
19. HM Chief Inspector of Prisons (2009) Annual Report 2007-08, London: TSO
20. MoJ and Department for Children, Schools and Families (2009), Reducing reoffending: supporting families, creating better futures, London: MoJ
21. MoJ (2009) OMCS 2008, London: TSO
22. NOMS, Prison Population and Accommodation Briefing for 14 May 2010
23. Home Office (2001) Prison Statistics 2000, London: TSO
24. Corston, J. (2007) The Corston Report, London: Home Office
25. Cabinet Office Social Exclusion Task Force (2009) Short Study on Women Offenders, London: Cabinet Office
26. Corston, J. (2007) The Corston Report, London: Home Office
27. MoJ (2010) Safety in custody statistics 2008-09, London: MoJ
28. MoJ (2009) Race and the Criminal Justice System 2007/08, London: MoJ
29. Loucks, N. (2007) No One Knows: Offenders with Learning Difficulties and Learning Disabilities. Prevalence and associated needs, London: PRT
30. Hansard, 9.01.2007: C. 548W
31. Paul Goggins, former minister for prisons and probation speaking in a debate on prisons and mental health, Hansard, 17.03.2004
32. MoJ (2010) Population in Custody. March 2010, London: MoJ
33. MoJ (2009) OMCS 2008, London: TSO
34. HMIP (2009), Disabled prisoners: A short thematic review on the care and support of prisoners with a disability, London: HMIP
35. Hansard, 12.01.2010: C. 934W
36. Home Office FOI Release 4631, 6.12.2006
37. HMIP (2010) Alcohol services in prisons: London: HMCIP
38. Hansard, 23.03.2010, C. 115
39. Home Office report
40. ICPS, <http://www.kcl.ac.uk/schools/law/research/icps>
41. Scottish Prison Service, <http://www.sps.gov.uk/default.aspx?documentid=7811a7f1-6c61-4667-a12c-f102bbf5b808>,
42. Scottish Executive (2009) Prison Statistics Scotland 2008-09
43. Northern Ireland Prison Service, <http://www.niprisonservice.gov.uk/module.cfm/opt/8/area/Population%20Report/page/population/>
44. Northern Ireland Prison Service, <http://www.niprisonservice.gov.uk/pop-arch.htm>
45. Jacobson, J. and Gibbs, P. (2009) Making amends, London: PRT
46. MoJ (2009) Story of the prison population 1995-2009, London: MoJ
47. Hansard, 5.01.2010: c. 14
48. MoJ (2010) Sentencing Statistics 2008, London: TSO
49. MoJ (2009) OMCS 2008, London: TSO
50. Ibid. NB, the same person can be remanded before and after trial, so counting twice
51. Hansard, 10.01.2010
52. MoJ (2009) OMCS 2008, London: TSO
53. MoJ (2010) Population in custody, March 2010, London: MoJ
54. Home Office (2003) Prison Statistics 2002, London: TSO
55. Hansard, 9.02.2010, C. 944W
56. Hansard, 26.01.2010, C. 732W
57. Hansard, 9.02.2010, C. 945W
58. MoJ (2009) Story of the prison population 1995 – 2009, London: MoJ
59. Carter, P. (2003) Managing offenders, reducing crime, London: Strategy Unit
60. Home Office (2001) Criminal careers of those born between 1953 and 1978
61. MoJ and DCSF, Children of Offenders Review, June 2007
62. Rt Hon Lord Falconer, Today Programme, BBC Radio 4, 23.01.2007
63. Carter, P. (2007) Lord Carter's Review of Prisons, London: MoJ
64. Harries, R. (1999) Home Office Research findings No.103, London: TSO
65. Hansard, 15.10.2009, C. 1018W
66. Hansard, 25.02.2010: C. 665W
67. NAO (2010) Managing offenders on short custodial sentences, London: TSO
68. Hansard, 12.10.2009: C. 114W
69. Hansard, 9.09.2009, C. 2030W
70. Paul Tidball, Prison Governors' Association, Justice Select Committee, Oral evidence, Towards effective sentencing, 12.12.2007
71. nef (2008) Unlocking value: How we all benefit from investing in alternatives to prison for women offenders, London: nef
72. HMIP (2009) The prison characteristics that predict prisons being assessed as performing 'well', London: HMIP
73. NOMS Monthly Bulletin – April 2010
74. HMIP (2009) The prison characteristics that predict prisons being assessed as performing 'well', London: HMIP
75. Hansard, 2 November 2009: C. 746W
76. HM Chief Inspector of Prisons (2009) Annual Report 2007-08, London: HMIP
77. MoJ (2009) Capacity and Competition Policy for Prisons and Probation, London: MoJ
78. ICPS, <http://www.kcl.ac.uk/schools/law/research/icps>
79. Hansard, 27.04.2009 C.569
80. Home Office Press Release, 20 February 2007
81. Duffy, B., Wake, R., Burrows, T., and Bremner, P., (2007) Closing the Gaps, Crime and Public Perceptions, London: Ipsos MORI
82. Ibid.
83. MoJ (2010) Sentencing Statistics 2008, London: TSO
84. Gottschalk, E. (2009) Public perceptions of organized crime – results from an opinion poll, London: Home Office
85. SmartJustice (2006) Briefing: Crime victims say jail doesn't work, <http://www.smartjustice.org/pr16jan06.html>

Abbreviations:

MoJ: Ministry of Justice, HMPS: HM Prison Service, NAO: National Audit Office, OMCS: Offender Management Caseload Statistics
NOMS: National Offender Management Service
HMIP: HM Inspectorate of Prisons, TSO: TSO, PRT: Prison Reform Trust
ICPS: International Centre for Prison Studies, nef: new economics foundation

This briefing is based on the Prison Reform Trust's Bromley Briefings Prison Factfile
To download a full current copy of the Bromley Briefings visit: www.prisonreformtrust.org.uk/factfile
The next edition of the Bromley Briefings will be published in June 2010

Prison Reform Trust, 15 Northburgh Street, London EC1V 0JR 020 7251 5070 prrt@prisonreformtrust.org.uk
Registered in England and Wales, Charity no 1035525. Company Limited by Guarantee no 2906362