



Bromley Briefings Prison Factfile

December 2011

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

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Introduction

In just a few days in August the riots not only caused harm and distress in communities but by the end of September had also propelled an extra 846 people into our already overcrowded jails. A further 1,000, mostly young adults, are likely to be brought to trial in 2012.

Those responsible for the justice system know only too well that one dreadful event, or a high profile court case, can have a devastating impact on prison numbers. The influx of people involved in the riots hit the prison service hard when it was already trying to cope with severe budget cuts and overcrowding largely driven by inflation in sentencing. At the same time it faces the demands of a new competition strategy and the juggernaut of privatisation.

Reviews underway should increase understanding of how and why people took to the streets and, if lessons can be learned, so reduce the risk of further public disorder. The question remains: will harsh sentencing decisions made in the light of exceptional circumstances, and largely upheld on appeal, leave a lasting legacy?

In a year close to 2011, numbers in custody have surged beyond 88,000 for the first time. As these facts and figures show, over the last fifteen years Britain has developed an expensive over-reliance on imprisonment. Our overcrowded jails increasingly act as an early port of call for the courts, expected to deter, to rehabilitate and to act as a dumping ground for all those failed by other services.

People involved in criminal justice know that reform of the system is long overdue. But it may come as a surprise to those outside, to hear that leading justice figures and others agree that the time has come to reserve prison for serious and violent offenders. In the light of escalating prison numbers, the Prison Reform Trust has released 'Talking Justice: Talking Sense'. A short film that presents the case for prison to be used as a place of last resort, highlights the degree of consensus across the justice system and looks to community payback and restorative justice as effective ways to cut crime.

In a series of film clips those in charge of the system, regulators, offenders, victims and well known faces reflect on their experience and talk sense about justice. Colin Moses, National Chairman of the Prison Officers' Association from 2002 to 2011 says: "What we are doing in this country currently is sending people to prison, many of whom are victims themselves, many of whom have been bullied, and will continue to be bullied in prisons.

"When it comes to lights out time and you then could stand outside those prison wings and hear the chatter that goes on from the windows and those who've been bullied at school, those who've been bullied in their homes, many of whom have been sexually abused before they've come to prison and you hear them themselves being bullied again or taunting. And that is the 24 hour cycle in a prison.

"The cries for help... Those young men who go to bed at night and become bedwetters... Those young men who go to the library and pick up the book with the biggest pictures in, because they don't want people to know that they can't read and write... They may have the muscles of an adult, but really they are young men crying out for help. Yes there are some bad offenders in there, there are people who've done some horrendous things but what we have is a system that is totally overburdened and under resourced that will not work in those circumstances."

Outcomes of imprisonment are poor. Solutions lie across departments and local authorities in: education, health, social care, housing, employment and justice reinvestment. The footholds for reform in 2012 are a significant drop in youth crime and child imprisonment, plans to abolish IPP sentences and rein in unnecessary use of remand or breach of license, a commitment and Department of Health budget to divert people who are mentally ill and those with learning disabilities into treatment and care. No more money for wasteful prison building helps. If anything good were to come out of the riots, backed by our recent ICM poll, it would be more emphasis on making amends, community service and restorative justice.

Prison overview

On 9 December 2011, the prison population in England and Wales was 87,297.¹ When Ken Clarke was last home secretary from 1992-93, the average prison population was 44,628.²

The Legal Aid, Sentencing and Punishment of Offenders Bill was introduced to Parliament on 21 June 2011. Plans include reform of the indeterminate sentence for public protection, restrictions on the unnecessary use of custodial remand, and increased discretion in response to technical breach of licence.³ Following the Bradley Review and backed by the Care not Custody coalition,⁴ the government is taking forward proposals to invest £50 million by 2014 in liaison and diversion services at police stations and courts across England wherever possible to divert offenders with mental health needs and learning disabilities away from the justice system and into treatment and care.⁵

The impact assessment of the bill states: ‘It is estimated that the effects of the policies contained within the bill and the Green Paper will lead to a reduction in the prison population, relative to the medium prison projection, of 2,600 places by the end of the current spending review period.’⁶

Previously, the impact assessment of the justice green paper, *Breaking the Cycle*, stated that: “We estimate that the package of proposals in *Breaking the Cycle* will lead to a reduction in demand of approximately 6,000 prison places by the end of the Spending Review period, leading to an estimated prison population 3,000 lower than it is today.”⁷

Trends

England and Wales has an imprisonment rate of 156 per 100,000 of the population. France has an imprisonment rate of 109 per 100,000 and Germany has a rate of 87 per 100,000.⁸

Between 1996 and 2010, the prison population in England and Wales grew by 29,746 or 54%.

A rise in the number of people sentenced to immediate custody accounts for 65% of the increase.⁹

27,000 additional prison places were provided between 1997 and 2010 – just under 7,000 of them between 2007-10.¹⁰

1,365,347 people were sentenced by the courts in 2010, a decrease of 3% from 2009.¹¹

While the number of defendants sentenced to immediate custody has increased, as a proportion of the overall number of defendants appearing before the courts they have remained stable over the past 11 years. However, the trend in average sentence length has been increasing, they are now 2.3 months longer than in the same period in 2001.¹²

The proportion of the sentenced prison population serving indeterminate sentences (life sentences and IPPs) increased from 9% in 1995 to 18% in 2010.¹³

At the end of March 2011 there were 6,550 prisoners serving an Indeterminate sentence for Public Protection. 3,500 of these prisoners are held beyond their tariff expiry date.¹⁴

Since 2005 just 320 people serving IPP sentences have been released from custody.¹⁵

At the end of March 2011 there were 41 prisoners in England and Wales serving a ‘whole life’ tariff.¹⁶

The average tariff given for those sentenced to a mandatory life sentence has increased from 13.2 years in 2002 to 17.5 years in 2009.¹⁷

9 Table A1.1, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice and Table 8.1, Ministry of Justice (2007) Offender Management Caseload Statistics 2006, London: Ministry of Justice

10 Hansard, HC, 5 January 2010, c14

11 Table 1.2, Ministry of Justice (2011), Criminal Justice Statistics Quarterly Update to December 2010, London: Ministry of Justice

12 Ministry of Justice (2011) Criminal Justice Statistics Quarterly Update to March 2011, London: Ministry of Justice

13 Ministry of Justice (2009) Story of the prison population 1995 – 2009, England and Wales, London: Ministry of Justice and Table A1.1, Ministry of Justice (2011) Offender Management Caseload Statistics, London: Ministry of Justice

14 Ministry of Justice (2011) Provisional figures relating to offenders serving indeterminate sentence of imprisonment for public protection (IPPs), London: Ministry of Justice

15 Hansard HL, 21 November 2011, c825

16 Table 3, Ministry of Justice (2011) Provisional figures relating to offenders serving indeterminate sentence of imprisonment for public protection (IPPs), London: Ministry of Justice

17 Hansard HC, 22 February 2010, c256W

1 Ministry of Justice (2011) Weekly Prison Population Bulletin - 9 December 2011, London: Ministry of Justice

2 HMPS (1993) Prison Service Annual Report April 1992-1993, London: HMSO

3 Legal Aid, Sentencing and Punishment of Offenders Bill 2010-11

4 State must keep Care Not Custody promise, The Guardian, 30 March 2011, available at <http://www.guardian.co.uk/society/2011/mar/30/keep-care-not-custody-promise>

5 Hansard HC, 15 February 2011, c793

6 Ministry of Justice (2011) Sentencing and Criminal Justice Components of the Legal Aid, Sentencing and Punishment of Offenders Bill, Impact Assessment MoJ 119, London: Ministry of Justice

7 Ministry of Justice (2010) Impact assessment: Breaking the cycle: effective punishment, rehabilitation and sentencing of offenders, London: Ministry of Justice

8 International Centre for Prison Studies (2011) World Prison Brief available at <http://www.prisonstudies.org/info/worldbrief/>

In 2010, 53,139 people were remanded into custody to await trial.¹⁸ In the same year 11,105 people remanded in custody were subsequently acquitted.¹⁹

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.²⁰

36,042 people were given custodial sentences up to and including three months in 2009.²¹

In the 12 months ending March 2011 57% of immediate custodial sentences given were for 6 months or less. Between 2001-2011 the number of people sentenced to immediate custody for more than six months and less than twelve months increased by 20%.²²

At the end of November 2011, 82 of the 132 prisons in England and Wales were overcrowded.²³

In 2010-11 an average of 20,211 prisoners were held in overcrowded accommodation, accounting for 24% of the total prison population. Within this total the average number of prisoners doubling up in cells designed for one occupant was 19,268 (22.7% of the total prison population) and there were on average 829 prisoners held three to a cell in cells designed for two (1% of population).²⁴

The rate of overcrowding in male local establishments is still almost twice the national rate.²⁵

Private prisons have held a higher percentage of their prisoners in overcrowded accommodation than public sector prisons every year for the past thirteen years. In 2010-11 the private prisons average was 31.8%, compared to an average of 22.8% in the public sector. Forest Bank, Doncaster and Altcourse have particularly high rates of overcrowding, with 48.9%, 61.7%, and 72.9% of prisoners held in overcrowded accommodation respectively.²⁶

18 Table 2.1a, Ministry of Justice (2011) Offender Management Statistics Quarterly Bulletin January to March 2011, London: Ministry of Justice. NB, the same person can be remanded before and after trial, so counting twice

19 Hansard HC, 17 October 2011, c681W

20 Ministry of Justice (2009) Story of the prison population 1995 – 2009, England and Wales, London: Ministry of Justice

21 Ministry of Justice (2010) Sentencing statistics 2009, London: Ministry of Justice

22 Table Q5.6, Ministry of Justice (2011) Criminal Justice Statistics Quarterly Update to March 2011, London: Ministry of Justice

23 Ministry of Justice (2011) November Prison Population Bulletin, London: Ministry of Justice

24 Hansard HL, 3 October 2011, cWA135

25 Ministry of Justice (2011), National Offender Management Service Annual Report 2010/11: Management Information Addendum, London: Ministry of Justice

26 Ministry of Justice (2011) National Offender Management Service Annual Report 2010/11: Performance ratings digest 2010/11, London: Ministry of Justice

A prison with a population of 400 prisoners or under is four times more likely to perform ‘well’ than a prison with a population of over 800.²⁷ Public prisons are over five times more likely to perform well for safety than private prisons.²⁸

In 2010, 15% of men and 24% of women in prison were serving sentences for drug offences.²⁹ 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.³⁰

In 44% of violent crimes the victim believed the offender or offenders to be under the influence of alcohol.³¹

The number of women in prison has increased by 114% over the past 15 years (1995-2010).³² On 9 December 2011, the women’s prison population stood at 4,211.³³

There has been a 45% drop in the number of children and young people entering the youth justice system and there are 1,00 fewer young people in custody than there were 10 years ago.³⁴ Numbers of children (under-18s) peaked at an average of just over 3,000 in custody in 2007-08. By the end of October 2011 they had fallen to 2,021, despite the riots.³⁵

There were 198,449 proven offences committed by children aged 10-17 which resulted in a disposal (pre-court or formal court conviction) in 2009-10. This is a decrease of 19% from 2008-09 and 33% from 2006-07. The number of offences is now at its lowest level since the YJB began to collect this data. The biggest falls since 2006-07 have been in motoring offences (59%), criminal damage (42%) and violence against the person (31%).³⁶

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

28 Ibid.

29 Table A1.5, Ministry of Justice (2011), Offender Management Caseload Statistics 2010, London: Ministry of Justice

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

31 Table 7.10, Home Office (2011) Nature of Violent Crime, London: Home Office

32 Table A1.1, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice and Table 8.1, Home Office (2004) Offender Management Caseload Statistics 2003, London: Home Office

33 Ministry of Justice (2011) Weekly Prison Population Bulletin - 9 December 2011

34 HM Chief Inspector of Prisons for England and Wales (2011) Annual Report 2010-11, London: HMIP

35 Youth Justice Board (2011), Monthly data and analysis custody report - October 2011, London: Youth Justice Board

36 Ministry of Justice (2011) Youth Justice Statistics 2009/10, London: Ministry of Justice

At the end of September 2011 there were 8,317 young people aged 18-20 in prison in England and Wales. This is 14% less than the previous year, however some of this fall is likely to be the result of statistical reporting changes, which no longer include the counting of some 21 year olds who were aged 20 or under at conviction and had not been reclassified as part of the adult population.³⁷

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 128% between 2000 and 2010.³⁸

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 46.³⁹

It is estimated that there are 160,000 children with a parent in prison each year.⁴⁰ This is nearly two and a half times the number of children in care (64,400), and over six times the number of children on the Child Protection Register (26,000).⁴¹

During their time at school 7% of children experience their father's imprisonment.⁴² In 2006, more children were affected by the imprisonment of a parent than by divorce in the family.⁴³

Almost a third of prisoners involved in assaults classified as serious are children, despite children accounting for only 3% of the prison population.⁴⁴

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%.⁴⁵

37 Table 1.2, Ministry of Justice (2011) Offender Management Statistics Quarterly Bulletin, April to June 2011, London: Ministry of Justice

38 Table A1.10, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

39 Home Office (2001) Criminal careers of those born between 1953 and 1978, London: Home Office

40 Niven, S. and Stewart D. (2005) 'Resettlement Outcomes on Release from Prison in 2003', Home Office Research findings no. 248, London: Home Office

41 Ministry of Justice and Department for Children, Schools and Families (2007), Children of Offenders Review, June 2007

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

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

44 Ministry of Justice (2010) Safety in Custody Statistics 2008/09, London: Ministry of Justice

45 Hansard HC, 27 October 2009 c336W

Costs

The overall cost of the criminal justice system is 2.3% of GDP is higher than the US or any EU country.⁴⁶ Spending on public order and safety has grown rapidly, at an average annual real rate of 4.6% between 2000-01 and 2008-09.⁴⁷

Following the 2010 spending review the Ministry of Justice will have to make overall resource savings of 23% in real terms by 2014-15.⁴⁸

Capital savings of 50% will be made over the spending review period. The settlement provides sufficient capital funding to maintain the existing prison estate and to fund essential new build projects. Plans for a 1,500 place new-for-old prison will be deferred to the next spending review period, and spending on new IT and court projects will be limited to essential capacity.⁴⁹

Between 2003-04 and 2008-09 prison expenditure increased nearly 40% in real terms, from £2.52bn to £3.98bn a year.⁵⁰

The average annual overall cost of a prison place in England and Wales for financial year 2010-11 is £39,573. This includes prison related costs met by the National Offender Management Service, but excludes expenditure met by other government departments such as health and education.⁵¹

The cost of the crown court process of imposing a prison sentence is approximately £30,500, made up of court and other legal costs.⁵²

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 £60,000.⁵³

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.⁵⁴

46 Table 4.4, HM Treasury (2011) Public Expenditure Statistical Analyses 2011, London: HM Treasury and OECD (2011) OECD Factbook 2011-2012: Economic, Environmental and Social Statistics, Law, order and defence expenditure, Paris: OECD Publishing

47 Crawford, R. et al (2009) A Survey of Public Spending in the UK, London: Institute for Fiscal Studies

48 HM Treasury (2010) Spending Review 2010, London: HM Treasury

49 Ibid.

50 Grimshaw, R. et al (2010) Prison and probation expenditure, 1999-2009, London: Centre for Crime and Justice Studies

51 Table 1, Ministry of Justice (2011) Costs per place and costs per prisoner by individual prison, National Offender Management Service Annual Report and Accounts 2010-11: Management Information Addendum, London: Ministry of Justice

52 Harries, R. (1999) Home Office research, development and statistics directorate, Research findings No. 103, London: Home Office

53 Hansard HC, 18 January 2011, c690W

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

The average construction cost for new prison places, including costs of providing ancillary facilities, and excluding running costs, is approximately £170,000 per place across the lifetime of the accommodation.⁵⁵

The NOMS total budget for financial year 2011-2012 for public prisons is £1,870 million and private prisons £311 million.⁵⁶

In 2008-09 the prison service's capital expenditure was 18% over budget.⁵⁷

The resource budget for the National Offender Management Service for 2011-12 is £3.679 billion, £2.181 billion of which relates directly to expenditure incurred in prisons.⁵⁸

To meet 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 locked up for half-a-day more per week thus reducing constructive activity and time outside cells.⁵⁹

Imprisoning mothers for non-violent offences carries a cost to children and the state of more than £17 million over a 10 year period.⁶⁰

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 £7-10 billion a year.⁶¹

People in prison: a snapshot

Less than 1% of all children in England are in care⁶², but looked after children make up 27% of young men and 55% of young women in custody.⁶³

71% of children in custody have been involved with, or in the care of, social services before entering custody.⁶⁴

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.⁶⁵ 38% of boys screened on admission to custody 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.⁶⁶

The educational background of young people in custody is poor: 86% of young men and 82% of young women surveyed said they had been excluded from school and around half said they were 14 years or younger when they were last in education.⁶⁷

38% of boys and 18% of girls said they usually received one or more visits a week.⁶⁸

Half of the children interviewed who had been in care said that they did not know who would be collecting them on the day of their release.⁶⁹

Prison Reform Trust research has found that one in eight children in prison had experienced the death of a parent or sibling. 76% had an absent father and 33% an absent mother. 39% had been on the child protection register or had experienced neglect or abuse.⁷⁰

40% of children in custody in England and Wales have previously been homeless.⁷¹

The number of visitors arrested or apprehended who have been suspected of smuggling drugs into prisons has fallen by 40% in the last three years from 472 in 2008-09 to 282 in 2010-11.⁷²

In 2006 the average age of people sentenced to custody was 27. A quarter was aged 21 or under.⁷³

Of all the women who are sent to prison, 37% say they have attempted suicide at some time in their life.⁷⁴ 51% have severe and enduring mental illness, 47% a major depressive disorder, 6% psychosis and 3% schizophrenia.⁷⁵

55 Hansard HC, 13 September 2010, c847W

56 Hansard HC, 4 April 2011, c642W

57 Hansard HC, 9 September 2009, c2030W

58 Hansard HC, 29 March 2011, c156

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

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

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

62 Department for Education (2011) Children looked after by local authorities in England year ending 31 March 2011, London: Department for Education

63 Summerfield, A. (2011) Children and Young People in Custody 2010-11, London: HM Inspectorate of Prisons and Youth Justice Board

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

65 Youth Justice Board (2006) Barriers to engaging in education, training and employment, London: YJB

66 HM Inspectorate of Prisons (2002) A second chance: a review of education and supporting arrangements within units for juveniles managed by HM Prison Service, a thematic review carried out jointly with the Office for Standards in Education

67 Summerfield, A. (2011) Children and Young People in Custody 2010-11, London: HM Inspectorate of Prisons and Youth Justice Board

68 Summerfield, A. (2011) Children and Young People in Custody 2010-11, London: HM Inspectorate of Prisons and Youth Justice Board

69 HM Inspectorate of Prisons (2011) The care of looked after children in custody, London: HMIP

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

71 Youth Justice Board (2007) Accommodation needs and experiences of young people who offend, London: YJB

72 Hansard HC, 3 May 2011, c628W

73 Hansard HC, 8 January 2008, c432W

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

75 Cabinet Office Social Exclusion Task Force (2009) Short Study on

Over half the women in prison report having suffered domestic violence and one in three has experienced sexual abuse.⁷⁶

In 2010, there were a total of 26,983 incidents of self-harm in prisons, with 6,639 prisoners recorded as having injured themselves. Women accounted for 47% of all incidents of self harm despite representing just 5% of the total prison population.⁷⁷

Men recently released from prison are eight times more likely than the general population to take their own life. Women are 36 times more likely to take their own life.⁷⁸

Remand prisoners, 18% of the prison population, accounted for half of all self-inflicted deaths in 2010.⁷⁹

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.⁸⁰

10% of men and 30% of women have had a previous psychiatric admission before they come into prison.⁸¹

At the end of September 2011 there were 11,076 foreign nationals (defined as non-UK passport holders) held in prisons in England and Wales, 13% of the overall prison population.⁸²

20–30% of all offenders have learning disabilities or difficulties that interfere with their ability to cope with the criminal justice system.⁸³
23% of young offenders have learning difficulties (IQs of below 70) and a further 36% have borderline learning difficulties (IQ 70-80).⁸⁴

Women Offenders, London: Cabinet Office

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

77 Table 1, Ministry of Justice (2011) Safety in Custody 2010 England and Wales, London: Ministry of Justice

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

79 Table 8, Ministry of Justice (2011) Safety in Custody Statistics 2010, London: Ministry of Justice

80 Prison Reform Trust (2004) Alcohol and reoffending: who cares? London: Prison Reform Trust

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

82 Table 1.5, Ministry of Justice (2011) Offender Management Statistics Quarterly Bulletin, April to June 2011, London: Ministry of Justice

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

84 Harrington, R., and Bailey, S. (2005) Mental health needs and effectiveness provision for young offenders in custody and in the community. London: YJB

48% of all prisoners are at, or below, the level expected of an 11 year old in reading, 65% in numeracy and 82% in writing.⁸⁵ Nearly half those in prison have no qualifications at all.⁸⁶

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

On 30 June 2010 just under 26% of the prison population, 21,878 prisoners, was from a minority ethnic group. This is slightly less than in 2009, but represents an increase on that recorded for 2005 (25%).⁸⁷ This compares to one in 10 of the general population.⁸⁸

49% of the total prison population are Christian (of whom 49% are Anglican, 35% Roman Catholic, 13% other Christian and 3% Free Church), 12% are Muslim, 2% are Buddhist and 32% report having no religion.⁸⁹

Outcomes

Prison has a poor record for reducing reoffending – 47% of adults are reconvicted within one year of being released – for those serving sentences of less than 12 months this increases to 57%. For those who have served more than 10 previous custodial sentences the rate of reoffending rises to 66%.⁹⁰

51% of women leaving prison are reconvicted within one year – for those serving sentences of less than 12 months this increases to 62%.⁹¹

71% of children (10-17) released from custody in 2009 reoffended within a year.⁹²

Prisoners who have problems with both employment and accommodation on release from prison have a reoffending rate of 74% during the year after custody, compared to 43% for those with no problems.⁹³

85 Hansard HC, 9 January 2007, c548W

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

87 Table A1.17, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

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

89 Table A1.21, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

90 Table 18a, 19 and 7a, Ministry of Justice (2011) Proven Re-offending Statistics Quarterly Bulletin January to December 2009, London: Ministry of Justice

91 Table A5(F) and A9(F), Ministry of Justice (2011) Adult re-convictions: results from the 2009 cohort, London: Ministry of Justice

92 Table 18b, Ministry of Justice (2011) Proven Re-offending Statistics Quarterly Bulletin January to December 2009, London: Ministry of Justice

93 Ministry of Justice (2008) Factors linked to reoffending: a one-year

Just 36% of people leaving prison go into education, training or employment.⁹⁴

The majority of offenders (97%) expressed a desire to stop offending. When asked which factors would be important in stopping them from reoffending in the future, most stressed the importance of 'having a job' (68%) and 'having a place to live' (60%).⁹⁵

40% of prisoners and 64% of former prisoners feel that their debts had worsened during their sentence. Over half of prisoners families have had to borrow money since the imprisonment of their relative.⁹⁶

Court ordered community sentences are more effective (by eight percentage points) at reducing one-year proven reoffending rates than custodial sentences of less than 12 months for similar offenders.⁹⁷

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 through monitoring, training, accommodation and drug treatment over a period of two years.⁹⁸

Since 1997 British Crime Survey crime rates have fallen by 42%. However in the past year there has been no statistically significant change in the numbers of crime estimated from the 2010-11 survey (9.6 million offences) compared to the previous year (9.5 million offences), consistent with a flattening trend in crime.⁹⁹

The British Crime Survey 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. 13% of respondents thought that they were very likely or fairly likely to be a victim of violent crime in the next 12 months, compared with 3% who reported having been a victim of such a crime in the year before interview.¹⁰⁰

45% of crimes reported in newspapers in the UK involve sex or violence, compared with only 3% of actual reported crime.¹⁰¹

Research by the Prime Minister's Strategy Unit shows 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'.¹⁰²

A recent survey found that "while the public may 'talk tough' in response to opinion polls which ask whether sentencing is harsh enough, when considering specific criminal cases and individual circumstances, there is considerable support for mitigating punishments".¹⁰³

In a survey on behalf of the Prison Reform Trust conducted one month after the riots in August 2011 a majority of the public (94%) supported opportunities for offenders who have committed offences such as theft or vandalism to do unpaid work in the community, as part of their sentence, to pay back for what they have done.¹⁰⁴

In a recent poll 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% that more constructive activities for young people would have most effect.¹⁰⁵

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.¹⁰⁶

follow-up of prisoners who took part in the Resettlement Surveys 2001, 2003 and 2004, London: Ministry of Justice

94 Hansard, HC, 23 March 2010, c115

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

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

97 Table 1, Ministry of Justice (2011) 2011 Compendium of reoffending statistics and analysis, London: Ministry of Justice

98 Home Office Press Release, 20 February 2007

99 Table 2.01, Home Office (2010) Crime in England and Wales 2009/10, London: Home Office

100 Tables 2.03 and 5.02, Home Office (2011) Crime in England and Wales 2010/11, London: Home Office

101 Duffy, B., Wake, R., Burrows, T., and Bremner, P., (2007) Closing the Gaps, Crime and Public Perceptions, London: Ipsos MORI

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

103 Roberts, J. and Hough, M. (2011) Custody or community? Exploring the boundaries of public punitiveness in England and Wales, Criminology & Criminal Justice 11(2) pp181-197, Norwich: Page Bros

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

105 Gottschalk, E. (2009) Public perceptions of organized crime - results from an opinion poll, London: Home Office

106 SmartJustice (2006) Briefing: Crime victims say jail doesn't work, <http://www.smartjustice.org/pr16jan06.html>

Scottish prison overview

On 9 December 2011 the total population of prisoners in custody in Scotland stood at 8,058.¹⁰⁷

The official capacity for all 15 Scottish prisons stands at 7,144. This puts the occupancy level at 113%.¹⁰⁸

The Scottish Government has paid out over £8.5 million in overcrowding compensation payments since 2007 for “the expenditure associated with holding prisoners in addition to the number they are resourced to hold”.¹⁰⁹

In 2009 45% of prisoners in Scotland reported that high prisoner numbers have had an impact on both safety and privacy in their cell, access to medical services (62%), opportunities for training and education (61%), and quality of life generally (58%).¹¹⁰

The average daily population for 2010-11 shows a small dip of 1% compared to the previous year, dropping to 7,853. This is primarily due to marked drops in the young offender population for both remand and direct sentenced prisoners by 14 and 17% respectively.¹¹¹

Whilst the average daily population has fallen slightly, life sentence and recall populations have increased by 5 and 10% respectively in the past year.¹¹²

47% of offenders released from custody are reconvicted within one year, compared to 27% of those on a Community Sentence Order. For those who have served more than 10 previous custodial sentences the rate of reoffending rises to 68%.¹¹³

The imprisonment rate for Scotland stands at 155 per 100,000.¹¹⁴

Young adults (18-21) make up 10% of the prison population.¹¹⁵

107 Scottish Prison Service website at <http://www.sps.gov.uk/Publications/ScottishPrisonPopulation.aspx>

108 International Centre for Prison Studies website at http://www.prisonstudies.org/info/worldbrief/wp_b_country.php?country=171

109 <http://www.scotlibdems.org.uk/news/2011/02/lib-dems-reveal-C2%A385-million-compensation-bill-overcrowded-scottish-prisons>

110 Scottish Prison Service, 12th prisoner survey 2009

111 Table 1, The Scottish Government (2011) Prison statistics Scotland: 2010-11, Edinburgh: The Scottish Government

112 Table 3, The Scottish Government (2011) Prison statistics Scotland: 2010-11, Edinburgh: The Scottish Government

113 Table 5 and Table 9, The Scottish Government (2011)

Reconviction rates in Scotland: 2007-08 and 2008-09 offender cohorts

114 International Centre for Prison Studies website at http://www.prisonstudies.org/info/worldbrief/wp_b_country.php?country=171

115 Table 4, The Scottish Government (2011) Prison statistics Scotland: 2010-11, Edinburgh: The Scottish Government

87% of the population of Polmont Young Offenders Institute in Scotland have been there before their present sentence.¹¹⁶

Since 2001-02 the average daily women’s prison population in Scotland has increased by 69%. The 2010-11 average daily women’s prison population was 435.¹¹⁷

The number of convictions resulting in a custodial sentence decreased 7% in 2009-10 to 15,733, the lowest figure since 2005-06 (15,082). The proportion of people sentenced to custody remained the same as in 2008-09 (13%).¹¹⁸

In Scotland, the average daily remand population in 2010-11 was 1,474, down 3% on the previous year.¹¹⁹

In 2010-11 1,893 women were received into custody on remand, 46% higher than 2001-02.¹²⁰

The average daily population on Home Detention Curfew during 2010-11 was 303, a drop of 18% over the previous year. The number of releases from prison on HDC was 1,820, a drop of 3% compared to the previous year.¹²¹

From July 2006 to March 2010, 7,292 people were released on Home Detention Curfew (HDC); 21% were recalled, which equates to an average of 34 people per month.¹²²

The most common reason for being recalled is for failure to comply with the technical conditions of the curfew rather than committing crimes while on HDC. Being out of curfew for more than six hours (38% of all recalls) and breach of licence conditions (24%) accounted for most recall activity. Offending while on licence appears only rarely to be the cause of recall (7% recalled for a new warrant served).¹²³

The average daily population of prisoners in Scotland recalled from supervision or licence has risen substantially, increasing by 32% to 682 in 2010-11, from 515 in 2006-07.¹²⁴

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

117 Table 1, The Scottish Government (2011) Prison statistics

Scotland: 2010-11, Edinburgh: The Scottish Government

118 Table 7, The Scottish Government (2011) Criminal Proceedings in Scotland 2009-10, Edinburgh: The Scottish Government

119 Table 1, The Scottish Government (2011) Prison statistics Scotland: 2010-11, Edinburgh: The Scottish Government

120 Table 9, Ibid

121 Table 8, The Scottish Government (2011) Prison statistics Scotland: 2010-11, Edinburgh: The Scottish Government

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

123 Ibid.

124 Table 1, Ibid.

It costs £126 per week to keep someone on HDC, compared to a notional cost of £610 per week to keep them in prison.¹²⁵

The average length of custodial sentences in 2009-10 was over 9 months (281 days) and is at the highest level in the last 10 years. The average custodial sentence length has increased by almost two months (23%) since the recent low (229 days) in 2005-06.¹²⁶

38% of all custodial sentences in 2009-10 were for three months or less (down from 41% in 2008-09 and 50% in 2007-08). However, there have been corresponding increases in the proportions of sentences of over three months and up to two years.¹²⁷

Justice Secretary Kenny MacAskill has said:

“Short sentences simply don’t work. They are ineffective and of no practical benefit to communities. If we are serious about improving the safety of our communities, we need to ensure that our prisons focus on the most serious criminals for whom prison is the only option.”¹²⁸

On 6 August 2010 a statutory presumption against short periods of imprisonment was decreed in the Scottish Parliament. The Criminal Justice and Licensing (Scotland) Act 2010 states that ‘a court must not pass a sentence of imprisonment for a term of three months or less on a person unless the court considers that no other method of dealing with the person is appropriate.’¹²⁹

In 2009-10, 21 custodial sentences were imposed on children under the age of 16.¹³⁰

In February 2008, Scottish Justice Secretary, Kenny MacAskill announced a decision to end the use of custodial remand for children under the age of 16. In a statement he said, “I don’t believe that in the long run Scotland will be well served by jailing children. Lock up a youth alongside hardened criminals, and there’s a risk you’ll lock them into a life of crime.”¹³¹

The former HM Chief Inspector of Prisons for Scotland has stated that “prison is no place for a child.”¹³²

1% of Scottish children have been in care; 50% of Scottish prisoners have been in care; for Scottish prisoners convicted of violence the proportion is 80%.¹³³

The annual cost per prisoner place for 2010-11 was £32,146, excluding capital charges, exceptional compensation claims and the cost of the Escort Contract.¹³⁴

Hugh Monro, Chief Inspector of Prisons for Scotland, has stated that ‘Securing children, young offenders or prisoners is not a cheap option...the cost of keeping a child in a Secure Unit can be as high as £250k per annum.’¹³⁵

Call charges from Scottish prisons have reduced from 1 April 2010. Following the successful supercomplaint to Ofcom brought by the National Consumer Council and the Prison Reform Trust, 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.¹³⁶

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%).¹³⁷

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.¹³⁸

An average of 56% of all offenders admitted to Scottish prisons test positive for drugs.¹³⁹

125 Ibid.

126 Table 10(c), The Scottish Government (2011) Criminal Proceedings in Scotland 2009-10, Edinburgh: The Scottish Government

127 Table 10(a), Ibid.

128 <http://www.dailyrecord.co.uk/news/politics-news/2009/09/01/fury-at-justice-secretary-kenny-macaskill-over-plans-to-release-short-term-prisoners-86908-21639184/>

129 http://www.legislation.gov.uk/asp/2010/13/pdfs/asp_20100013_en.pdf

130 Table 2, McCallum, F. (2011) Children and the Scottish Criminal Justice System, SPICe Briefing 11/53, Edinburgh: The Scottish Parliament

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

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

133 Ibid.

134 Scottish Prison Service (2011) Scottish Prison Service Annual Report and Accounts 2010-11, Edinburgh: Scottish Prison Service

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

136 Information from Consumer Focus, 10 May 2010

137 Scottish Prison Service, 12th prisoner survey 2009

138 Ibid.

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

Illicit use of benzodiazepines were detected in 38% of 1,093 prisoners tested on reception and 9% of the 710 prisoners tested on release. Opiates were detected in 36% of prisoners tested on reception and 8% of prisoners tested on release. Cannabis was detected in 28% of prisoners at arrival and 5% at release.¹⁴⁰

22% of respondents to the 2009 Prison Survey reported use of illegal drugs in prison in the previous month. Of these, 70% reported use of heroin in the previous month, 61% reported use of cannabis and 53% use of benzodiazepines. 31% reported using Subutex while 28% reported using other opiates (other than heroin and methadone) and a smaller proportion (18%) reported methadone (without prescription).¹⁴¹

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.¹⁴²

20% of respondents to the 2009 Scottish Prison Service prisoner survey had been seen by mental health staff.¹⁴³

The Inspectorate of Prisons for Scotland reported that more than 70% of prisoners are known to have mental health problems, and as many as 7% may have psychotic illness – a rate seven times higher than in the general population.¹⁴⁴

Just over a third of respondents to a Prison Reform Trust survey said their prison had a dedicated learning disability nurse. Similarly, just under a third said that specific learning disability in-reach was available in their prison, though an additional fifth (19%) said they did not know whether it was available.¹⁴⁵

Almost three-quarters of prison staff responding described the support as ‘low’ or ‘fairly low’ quality. None of the respondents described the support available as being of high quality. Just over a quarter described the quality of support for people with learning difficulties or learning disabilities as fairly high.¹⁴⁶

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. Commenting on this MacAskill said they had “typically been jailed for low level offences”. “The statistics speak for themselves - four out of five women going to Cornton Vale have a mental health problem and seven out of 10 have a disclosed history of abuse or trauma.” “So while the staff at Cornton Vale are doing a fantastic job, a short-term prison environment is not always conducive to identifying root problems and dealing with them effectively.”¹⁴⁷

There was a 254% increase in incidents of self-harm by prisoners in Scotland from 2005 to 2010. Most of this increase represents a rapid rise in self-harm amongst women in Cornton Vale, from 12 incidents to 105. There have also been substantial rises in Addiewell and Perth prisons.¹⁴⁸

HM Chief Inspector of Prisons for Scotland, Hugh Monro stated in his most recent annual report “perhaps the most depressing aspect of Cornton Vale is the sheer boredom experienced by most prisoners, with some 65% locked in their cells and only 35% at education or employability training or work during the working day.”¹⁴⁹

There are two privately financed, designed, built, and operating prisons in Scotland; Serco-run Kilmarnock and Sodexo-run Addiewell. Combined they hold some 1,340 prisoners, approximately 16.5% of Scotland’s prison population.¹⁵⁰

The Scottish prison population is predicted to rise to 9,500 by 2019.¹⁵¹

The Scottish Prison Service has awarded a £116m 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 expected to open in 2012.¹⁵²

140 Drug Misuse Information Scotland (2010) Drug Misuse Statistics Scotland 2010, Edinburgh: NHS National Services Scotland

141 Scottish Prison Service, 12th Prisoner Survey 2009

142 Ibid.

143 Ibid.

144 HM Chief Inspector of Prisons for Scotland (2006) Standards Used in the Inspection of Prisons in Scotland, Edinburgh: Scottish Executive

145 Loucks, N. & Talbot, J. (2007) No One Knows: prisoners with learning difficulties and learning disabilities, Scotland, London: Prison Reform Trust

146 Ibid.

147 Kenny MacAskill argues against short prison sentences, STV, 30 July 2009, available at <http://news.stv.tv/scotland/112781-kenny-macaskill-argues-against-short-prison-sentences/>

148 Scottish Parliament, written answers 8 March 2011, S3W-38887 and 28 April 2009, S3W-23051

149 HM Chief Inspector of Prisons for Scotland (2011) Annual Report 2010-11, Edinburgh: The Scottish Government

150 Scottish Prison Service, Prisoner Population 24 April 2009

151 The Scottish Government (2011) Scottish prison population projections: 2010-11 to 2019-20, Edinburgh: The Scottish Government

152 Carillion website at <http://www.carillionplc.com/investors/sea%20-%206th%20august%202009.asp>

The 2009-10 Scottish Crime And Justice Survey found that 85% agreed (strongly or slightly) that community sentencing is a good idea for minor crimes and 66% agreed that drug users need treatment not prison.¹⁵³

The same survey found that in 72% of crimes where the victim thought that the offender(s) should have been prosecuted, the victim thought the offender(s) should have been given a sentence other than custody.¹⁵⁴

HMP Open Estate at Noranside closed on 31 October 2011, with all prisoners transferred to the remaining open estate at Castle Huntly.

The number of prisoners qualifying to move to open conditions has reduced as a result of more strict criteria for progression and the facility at Noranside was deemed “surplus to requirements.”¹⁵⁵

153 Page, L. et al. (2010) 2009/10 Scottish Crime And Justice Survey

154 Ibid.

155 <http://www.sps.gov.uk/MediaCentre/News-3176.aspx>

Northern Ireland prison overview

On 17 November 2011 the total prison population for Northern Ireland stood at 1,828.¹⁵⁶

The prison population in Northern Ireland has increased by 13% in a year. The Northern Ireland Prison Review Team's final report states that 'the population rise reflects a continuing failure to get to grips with long-standing population drivers, such as the number of remand prisoners and fine defaulters, together with a new driver, the number of prisoners recalled under the Criminal Justice (Northern Ireland) Order 2008'.¹⁵⁷

The imprisonment rate for Northern Ireland is 92 per 100,000.¹⁵⁸

On 12 April 2010 policing and criminal justice powers were devolved from Westminster to the Northern Ireland Assembly.¹⁵⁹

The current combined design capacity for the three Northern Ireland prisons is 1,765, meaning the current occupancy level stands at 83%.¹⁶⁰

A high proportion of people in prison in Northern Ireland are being held on remand and this has remained the case over the last 13 years. The total percentage for the remand population in 2009 was 34%, compared to 16% for England and Wales, and 19% for Scotland.¹⁶¹

The problem is particularly acute at Maghaberry, where 55% of prisoners were on remand in December 2010.

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).¹⁶²

The national and ethnic mix in prisons in Northern Ireland has changed considerably in recent years. The majority of foreign nationals are from eastern Europe, primarily Lithuania and Poland, or from China. Only around 1% of the prison population is Black or South Asian. Irish Travellers also account for about 1% of the population.¹⁶³

Over half the women who arrived in prison in 2010 were there because of fine default.¹⁶⁴

Women prisoners in Northern Ireland are still held on the same site as young male prisoners, a situation described by the Criminal Justice Inspectorate as 'fundamentally unsatisfactory'.¹⁶⁵

Women in prison in Northern Ireland are in general an older population than men: the majority are aged between 30 and 50.¹⁶⁶

The most recent reconviction rates for women offenders are much lower than those for men, at 20%.¹⁶⁷

In 2010-11 the average cost per prisoner place was £73,762, although a different and more realistic calculation (the cost per occupied place) by Prison Inspectors revealed it was some £16,000 higher than suggested.¹⁶⁸ A total of £128.8m was spent in operating costs, of which £91.2m were staff costs.¹⁶⁹

24% (1,394) of people sent to prison in 2009 were imprisoned for failure to pay fines.¹⁷⁰ They spend an average of only four days in custody so it is almost impossible to do anything useful to address their resettlement needs during that time.¹⁷¹

During 2009-10, 67% of sentenced receptions into prison had sentences of one year or less.¹⁷²

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

164 Ibid.

165 Criminal Justice Inspection Northern Ireland (2011) An inspection of prisoner resettlement by the Northern Ireland Prison Service, Belfast: Criminal Justice Inspection Northern Ireland

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

167 Ibid.

168 Criminal Justice Inspection Northern Ireland (2011) An inspection of prisoner resettlement by the Northern Ireland Prison Service, Belfast: Criminal Justice Inspection Northern Ireland

169 Department of Justice (2011) Digest of Information on the Northern Ireland Criminal Justice System - Volume Three, Belfast: Department of Justice

170 Table 7, Department of Justice (2010) The Northern Ireland Prison Population in 2009, Belfast: Department of Justice

171 Criminal Justice Inspection Northern Ireland (2011) An inspection of prisoner resettlement by the Northern Ireland Prison Service, Belfast: Criminal Justice Inspection Northern Ireland

172 Ibid.

156 International Centre for Prison Studies http://www.prisonstudies.org/info/worldbrief/wpb_country.php?country=170

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

158 International Centre for Prison Studies http://www.prisonstudies.org/info/worldbrief/wpb_country.php?country=170

159 http://www.opsi.gov.uk/si/si2010/ukxi_20100976_en_1

160 Ibid.

161 Table 1, Department of Justice (2010) The Northern Ireland Prison Population in 2009, Belfast: Department of Justice; Table A1.1, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice; and Table 1, The Scottish Government (2010) Prison statistics Scotland: 2009-10, Edinburgh: The Scottish Government

162 The Prisoner Ombudsman for Northern Ireland Annual Report 2008-2009, Belfast: The Prisoner Ombudsman

The number of children and young people admitted into the Juvenile Justice Centre in 2010-11 increased to 411 from 349 in the previous year. Of these 62% (256) were admitted under the Police and Criminal Evidence Order 1989 (PACE), 34% (138) were admitted directly onto remand and 4% (17) were admitted after sentence.¹⁷³

The majority of those admitted into the Juvenile Justice Centre are male; in 2010-11, 84% of those admitted were boys and 16% were girls.¹⁷⁴

The largest proportion of those admitted in 2010-11 were aged 16 (41%). A further 24% were aged 15 and 25% were aged 17 or above.¹⁷⁵

In 2008 the combined reoffending rate for youth conferencing, a restorative justice programme in Northern Ireland, was 40% – this compared to 50% for community sentences and 68% for custodial sentences.¹⁷⁶

Victims were present in two-thirds of all restorative conferences held in 2008-09 – 89% expressed satisfaction with the conference outcome and 90% said they would recommend restorative justice to a friend.¹⁷⁷

The number of children sentenced to immediate custody in Northern Ireland dropped from 139 in 2003 to 89 in 2006.¹⁷⁸

Around one quarter of the population of Northern Ireland (NI) is made up of people under the age of 18 and there are around 200,000 young people between the ages of 10 and 17.¹⁷⁹

Typically, in any one day, around three-quarters of the child custody population is on remand, many of whom come directly from residential care. Most are neither serious nor persistent offenders and most do not go on to serve a custodial sentence.¹⁸⁰

In 2009-10 190 incidents of self-harm were reported.¹⁸¹ There have been two reported deaths in custody in 2011, both were young people held in Hydebank Wood.¹⁸²

At 5 September 2011, 67% of all prisoners were on prescribed medication. The levels of prescribing at the three Northern Ireland prison establishments were HMP Maghaberry, 80%; HMP Magilligan, 58%; and HMP Hydebank Wood, 38%.¹⁸³

The estimated cost of reoffending in Northern Ireland is approximately £80 million.¹⁸⁴

Statistical measures of sentence effectiveness suggest that community sentences are more effective and cheaper than custody in tackling reoffending by adults convicted for less serious offences. The one year reoffending rate for adult offenders in Northern Ireland sentenced to community disposals in 2007 was significantly less for Community Service Orders (23.5% at a unit cost of £4,200) and Probation Orders (24.4% at a unit cost of £2,000) than custodial discharges after sentences of less than six months (40.2%).¹⁸⁵

138 offenders have been released on licence having served the custodial element of their sentence in full. Of those, there have been 58 (42%) requests to recall offenders. This has resulted in 45 offenders being recalled to prison. Of these, 19 reoffended while on licence and 26 breached their licence conditions. A total of 33 were recalled within three months of their release.¹⁸⁶

There were approximately 2,500 applications for home leave during 2009-10, of which 79% were successful, with higher ratios granted to female prisoners and young offenders.¹⁸⁷

The ratio of staff to prisoners in Northern Ireland is almost two and a half times that of England and Wales and prison officers are paid on average a third more.¹⁸⁸

181 Ibid.

182 Northern Ireland Prison Service website at <http://www.niprisonservice.gov.uk/module.cfm/opt/10/area/Press%20Releases/page/pressrel/year/2011/month/05/pid/599>

183 Northern Ireland Assembly Debates, 19 September 2011, Prisoners: Medication, AQO 330/11-15

184 Criminal Justice Inspection Northern Ireland (2010) Northern Ireland Prison Service Corporate Governance Arrangements, Belfast: Criminal Justice Inspection Northern Ireland

185 Department of Justice (2010) The Northern Ireland Prison Population in 2009, Belfast: Department of Justice

186 Criminal Justice Inspection Northern Ireland (2011) An inspection of prisoner resettlement by the Northern Ireland Prison Service, Belfast: Criminal Justice Inspection Northern Ireland

187 Ibid.

188 Criminal Justice Inspection Northern Ireland (2010) Northern Ireland Prison Service Corporate Governance Arrangements, Belfast: Criminal Justice Inspection Northern Ireland

173 Table 4, Tate, S. and Lyness, D. (2011) Youth Justice Agency Annual Workload Statistics 2010/11, Statistical Bulletin 3/2011, Belfast: Youth Justice Agency

174 Ibid.

175 Ibid.

176 Table 1, Lyness, D. and Tate, S. (2011) Northern Ireland Youth Re-offending: Results from the 2008 Cohort, Belfast: Youth Justice Agency

177 Jacobson, J. and Gibbs, P. (2009) Making Amends: restorative justice in Northern Ireland, London: Prison Reform Trust

178 Ibid.

179 Criminal Justice Inspection Northern Ireland (2011) Youth Diversion, Belfast: Criminal Justice Inspection Northern Ireland

180 Youth Justice Review Team (2011) A Review of the Youth Justice System in Northern Ireland, Belfast: Department of Justice

The most recent Inspection report highlights that “the history of the Northern Ireland Prison Service is inextricably linked to the ‘Troubles’ and the political and security situation in Northern Ireland since 1969. During that time 29 members of the Prison Service were murdered and many others were permanently or seriously injured. The effects of this, and the threat to prison officers and their families, cannot be under-estimated.”¹⁸⁹

The report also states that “the context within which the Prison Service operates now is significantly different although the threat level against prison staff remains ‘substantial’. While a significant management issue, separated prisoners comprise only a relatively small (4%) proportion of the prisoner population.”¹⁹⁰

The average absenteeism for each member of staff was 12.64 days.¹⁹¹ The cost of sick absence is £4.6m per annum or 115 whole time equivalents (WTEs), and at Hydebank Wood alone is £1.33m per annum - equivalent to 5.5% of the entire operating budget.¹⁹²

During inspection fieldwork it was found that on one day there were 70 staff on sick leave from Maghaberry, causing rolling lock-downs for prisoners.

An interim report by the independent Prison Review Team, chaired by Dame Anne Owers, found that “despite considerable expense, all three prisons, and Maghaberry in particular, have unacceptably poor regimes, which waste resources and do not allow prisoners access to the activities and interventions they need to support change and reduce reoffending.”¹⁹³

The Northern Ireland Prison Service has been under considerable scrutiny in recent years and since 2005 there have been over 20 external reviews and inspection reports, most of which have identified the pressing need for reform. A Northern Ireland Prison Service internal report to the Prison Service Management Board in July 2009 put the number of outstanding recommendations from scrutiny bodies and internal reviews/reports in the region of 600. The total number of recommendations was nearly 1,200.¹⁹⁴

189 Criminal Justice Inspection Northern Ireland (2010) Northern Ireland Prison Service Corporate Governance Arrangements, Belfast: Criminal Justice Inspection Northern Ireland

190 Ibid.

191 Northern Ireland Prison Service (2010) Annual Report and Accounts 2009-10, London: The Stationery Office

192 Criminal Justice Inspection Northern Ireland (2010) Northern Ireland Prison Service Corporate Governance Arrangements, Belfast: Criminal Justice Inspection Northern Ireland

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

194 Criminal Justice Inspection Northern Ireland (2010) Northern Ireland Prison Service Corporate Governance Arrangements, Belfast: Criminal

Within the Northern Ireland Prison Service there are 1,883 uniformed grade officers supported by almost 400 civilian grades. The recent review of the Service’s corporate governance highlighted that “despite this complement of staff there are many occasions when there is insufficient staffing levels to deliver an effective service.”¹⁹⁵

In addition “the practice, for example, of managing staff absences through a daily realignment of the prison regime is unproductive and meant substantial lockdowns with restrictions on time out of cell and the delivery of meaningful purposeful activity for prisoners such as workshops or education classes.”¹⁹⁶

The percentage age breakdown for all Northern Ireland Prison Service staff shows a significant proportion of staff in the higher age groups; 52% of staff were in the 35-49 age group (35% male, 17% female) and 34% were 50-64 (28% male, 6% female).¹⁹⁷

Justice Inspection Northern Ireland

195 Criminal Justice Inspection Northern Ireland (2010) Northern Ireland Prison Service Corporate Governance Arrangements, Belfast: Criminal Justice Inspection Northern Ireland

196 Ibid.

197 Ibid.

Prison overcrowding

Prison overcrowding is defined by the Prison Service as a prison containing more prisoners than the establishment's Certified Normal Accommodation (CNA). "CNA, or uncrowded capacity, is the Prison Service's own measure of accommodation. CNA represents the good, decent standard of accommodation that the service aspires to provide all prisoners."¹⁹⁸

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."¹⁹⁹ For the first time, recorded figures showed that on 22 February 2008, at 82,068 the prison population breached the Prison Service's own safe overcrowding limit.²⁰⁰

The prison population was 113% of the 'in use CNA' (77,512) on 25 November 2011.²⁰¹

Private prisons have held a higher percentage of their prisoners in overcrowded accommodation than public sector prisons every year for the past ten years. In 2009-10 the private prisons average was 35.4%, compared to an average of 22.7% in the public sector. Forest Bank, Doncaster and Altcourse have particularly high rates of overcrowding, with 54.5%, 67%, and 78% of prisoners held in overcrowded accommodation respectively.²⁰²

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.²⁰³

The end of custody licence (ECL) scheme was withdrawn on 12 March 2010. The withdrawal of the End of Custody Licence (ECL) early release scheme has added around 1,000 to the prison population.²⁰⁴

At the end of November 2011, 82 of the 132 prisons in England and Wales were overcrowded.²⁰⁵

198 The Prison Service, Prison Service Order 1900, Certified Prisoner Accommodation

199 Ibid.

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

201 Ministry of Justice (2011) Monthly Population Bulletin November 2011, London: Ministry of Justice

202 Ministry of Justice (2011) National Offender Management Service Annual Report 2009/10: Management Information Addendum, London: Ministry of Justice

203 HM Chief Inspector of Prisons (2010) Annual Report 2008-09, London: HMIP

204 Ministry of Justice (2011) Monthly Population Bulletin May 2011, London: Ministry of Justice

205 Ministry of Justice (2011) November Prison Population Bulletin,

In 2010-11 an average of 20,211 prisoners were held in overcrowded accommodation, accounting for 24% of the total prison population. Within this total the average number of prisoners doubling up in cells designed for one occupant was 19,268 (22.7% of the total prison population) and there were on average 829 prisoners held three to a cell in cells designed for two (1% of population).²⁰⁶

The rate of overcrowding in male local establishments is almost twice the national rate.²⁰⁷

In 2010 11,252 prisoner-on-prisoner assaults recorded.²⁰⁸ In 2008 in-cell assaults accounted for 18% of all prisoner-on-prisoner assaults.²⁰⁹

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.²¹⁰

In 2009-10, the average cost of transferring prisoners was £98.16. During this time 82,521 prisoners were transferred, an average of 1,587 per week.²¹¹

The 10 most overcrowded prisons in England and Wales, November 2011:²¹²

Prison	In use CNA	Operational Capacity	Population	% Overcrowded
Shrewsbury	170	340	334	196%
Kennet	175	342	340	194%
Swansea	240	445	445	185%
Usk	153	266	260	170%
Leicester	210	398	353	168%
Northallerton	146	252	245	168%
Preston	455	842	763	168%
Exeter	316	545	526	166%
Dorchester	146	260	237	162%
Canterbury	195	314	310	159%

London: Ministry of Justice

206 Hansard HL, 3 October 2011, cWA135

207 Ministry of Justice (2011) National Offender Management Service Annual Report 2010/11: Management Information Addendum, London: Ministry of Justice

208 Table 8, Ministry of Justice (2011) Safety in Custody 2010 England and Wales, London: Ministry of Justice

209 NOMS, Safer Custody News, July/August 2009

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

211 Hansard HC, 7 December 2010, c202W

212 Ministry of Justice (2011) Monthly Population Bulletin November 2011, London: Ministry of Justice

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 by other busy prisons where they may feel less safe. A number of PPO investigations have drawn attention to the potentially tragic consequences of this.²¹³

In an interview with The Times on 12 July 2007, Jack Straw, then incoming Secretary of State for Justice, stated that “we cannot just build our way out of overcrowding”. He called for a “national conversation” on the use of prison and said that he would still want this to take place even if he could “magic an extra 10,000 places”.²¹⁴

Justice minister Crispin Blunt told the House of Commons on 23 November 2010 that ‘we are not in a position to create enough prison places to be able to address the problem of overcrowding’.²¹⁵

Justice Secretary Ken Clarke has said that “closing outdated and expensive prisons is an important step in our strategy to provide a secure and modern, fit for purpose prison estate.”²¹⁶

213 Prisons and Probation Ombudsman (2009) Annual Report 2008-2009, London: COI

214 Rt Hon Jack Straw, The Times, 12 July 2007

215 Hansard HC, 23 November 2010, c155

216 13 January 2011, BBC News, Prisons shutdown unveiled by government available at <http://www.bbc.co.uk/news/uk-12178498>

Sentencing trends

1,349,540 people were sentenced by the courts in the 12 months ending March 2011, a decrease of 3% overall from the previous year.²¹⁷

Despite a 4% decrease in offenders sentenced at the magistrates' court in the previous year, there was an 8% increase for those at the crown court. 7.6% of people (101,975) were sentenced to immediate custody with an average sentence length of 13.9 months.²¹⁸

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.²¹⁹

The proportion of defendants sentenced to immediate custody in the 12 months ending March 2011 of 7.6% is the highest since 2003 when it was 7.8%.²²⁰

The trend in average sentence lengths has been increasing, they are now 2.3 months longer than in the same period in 2001.²²¹

In the 12 months ending March 2011, 102,000 offenders were given a custodial sentence, just over 2% more compared to the same period in 2010.²²²

The proportion of the sentenced 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.²²³

There were 72,777 prisoners under sentence at 30 September 2011, up 1,033 from a year earlier.²²⁴ This increase includes the impact of the public disorder in UK cities from 6 to 9 August 2011. As at 30 September 2011, there were 846 individuals in prison for offences relating to the disorder.²²⁵

217 Table Q1.2, Ministry of Justice (2011) Criminal Justice Statistics Quarterly Update to March 2011, London: Ministry of Justice

218 Ibid.

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

220 Ministry of Justice (2011) Criminal Justice Statistics Quarterly Update to March 2011, London: Ministry of Justice

221 Ibid.

222 Ibid.

223 Ministry of Justice (2009) Story of the prison population 1995 – 2009, England and Wales, London: Ministry of Justice and Table A1.1 Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

224 Ministry of Justice (2010) Offender Management Statistics Quarterly Bulletin, April to June 2011, London: Ministry of Justice

225 Ministry of Justice (2011) Offender Management Caseload Statistics Quarterly Bulletin April to June 2011, London: Ministry of Justice

In the 12 months ending March 2011 57% of immediate custodial sentences given were for 6 months or less. Between 2001- 2011 the number of people sentenced to immediate custody for more than six months and less than twelve months increased by 20%.²²⁶

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.²²⁷

Magistrates' courts accounted for 48,211 sentences of immediate custody in the 12 months ending March 2011, down 1% on the same period in 2006.²²⁸

At magistrates' courts the average sentence length for immediate custody is 2.5 months.²²⁹

52% of people sentenced at the crown court received an immediate custodial sentence, a total of 53,764. This is a rise of 20% from 2006 and is the highest number of people sentenced to custody at the crown court in the last 11 years.²³⁰

38,279 people were given sentences up to and including three months in the 12 months ending March 2011 – up 6% compared to the same period in 2010.²³¹

Women serve shorter prison sentences than men and for less serious offences. In the 12 months ending June 2011, 59% of women entering prison under sentence serve sentences of up to and including six months, compared with 48% of men.²³² Theft and handling was by far the most common offence, accounting for 34% of sentenced receptions.²³³

Of those in prison on short sentences of 12 months or under, 41% have 15 or more previous convictions, 13% between 11 and 14, 15% between seven and 10, and only 7% have no previous convictions.²³⁴

226 Table Q5.6, Ministry of Justice (2011) Criminal Justice Statistics Quarterly Update to March 2011, London: Ministry of Justice

227 Hansard, WH 5 February 2009, c328WH

228 Table Q5.2, Ministry of Justice (2011) Criminal Justice Statistics Quarterly Update to March 2011, London: Ministry of Justice

229 Ibid.

230 Table Q5.3, Ministry of Justice (2011) Criminal Justice Statistics Quarterly Update to March 2011, London: Ministry of Justice

231 Table Q5.6, Ibid.

232 Tables 2.1b and 2.1c, Ministry of Justice (2011) Offender Management Caseload Statistics Quarterly Bulletin April to June 2011, London: Ministry of Justice

233 Table 2.2b, Ibid.

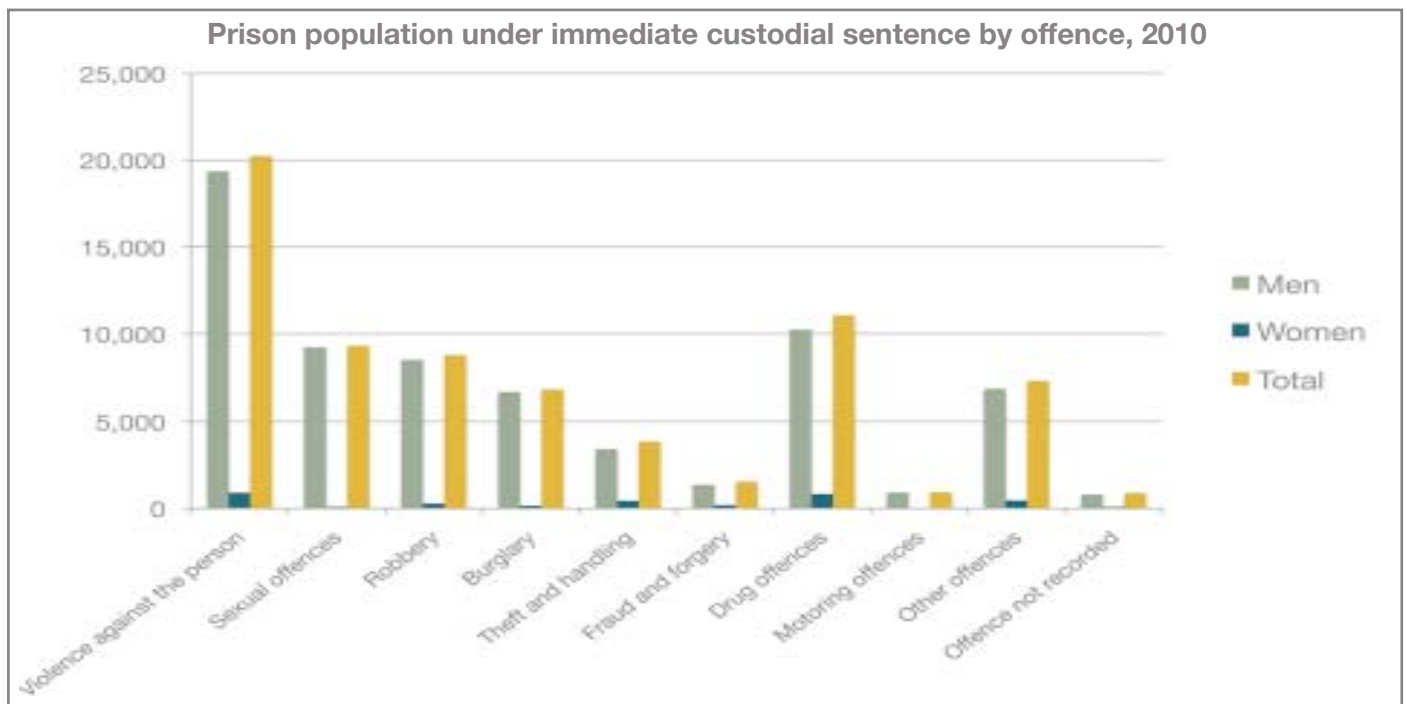
234 Table 7.32, Ministry of Justice (2010) Offender Management Caseload Statistics 2009, London: Ministry of Justice

13% of women serving sentences of under twelve months have no previous convictions.²³⁵

46% of adults given custodial sentences have already had at least three previous custodial sentences.²³⁶

Court ordered community sentences are more effective (by eight percentage points) at reducing one-year proven reoffending rates than custodial sentences of less than 12 months for similar offenders.²³⁷

The Ministry of Justice has signalled its intention to provide greater alternatives to short term custodial sentences. Speaking about short term sentences Ken Clarke, the Justice Secretary, said: “It is virtually impossible to do anything productive with offenders on short sentences. And many of them end up losing their jobs, their homes and their families during their short time inside”.²³⁸



Ministry of Justice (2011) Offender Management Caseload Statistics, London: Ministry of Justice

²³⁵ Table A1.27, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

²³⁶ Hansard, WH, 5 February 2009, c302WH

²³⁷ Table 1, Ministry of Justice (2011) 2011 Compendium of re-offending statistics and analysis, London: Ministry of Justice

²³⁸ <http://www.telegraph.co.uk/news/uknews/crime/7862003/Kenneth-Clarke-Fewer-criminals-will-go-to-prison.html>

Life and indeterminate sentences

The number of life and IPP sentenced prisoners has increased considerably in recent years and is now at its highest ever. There were 13,727 people serving indeterminate sentences at the end of September 2011, a rise of 7% in the last 18 months.²³⁹ This compares with fewer than 4,000 in 1998 and 3,000 in 1992.²⁴⁰

The proportion of the sentenced prison population serving indeterminate sentences (life sentences and IPPs) increased from 9% in 1995 to 18% in 2010.²⁴¹

As of 1 September 2009, England and Wales has by far the highest number (12,521) of sentenced prisoners serving indeterminate sentences in Europe.²⁴²

In the 12 months ending March 2011 1,342 indeterminate custodial sentences were handed down, 5% less than in the previous year.²⁴³

Life sentences

384 people were given a life sentence in 2010, a decrease of 37 from 2009.²⁴⁴

At the end of March 2011 there were 41 prisoners in England and Wales serving a 'whole life' tariff.²⁴⁵

The average tariff given for those sentenced to a mandatory life sentence has increased from 13.2 years in 2002 to 17.5 years in 2009.²⁴⁶

Nine people serving life sentences took their own lives in 2010.²⁴⁷

239 Table 1.1a, Ministry of Justice (2011) Offender Management Statistics Quarterly Bulletin, April to June 2011, London: Ministry of Justice and Offender Management Statistics Quarterly Bulletin October to December 2010, London: Ministry of Justice

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

241 Ministry of Justice (2009) Story of the prison population 1995 – 2009, England and Wales, London: Ministry of Justice and Table A1.1, Ministry of Justice (2011) Offender Management Caseload Statistics, London: Ministry of Justice

242 Table 8, Aebi, M. (2011) Council of Europe Annual Penal Statistics, Survey 2009

243 Table Q5.6, Ministry of Justice (2011) Criminal Justice Statistics Quarterly Update to March 2011, London: Ministry of Justice

244 Ministry of Justice (2010) Sentencing Statistics 2009, London: The Stationery Office

245 Table 3, Ministry of Justice (2011) Provisional figures relating to offenders serving indeterminate sentence of imprisonment for public protection (IPPs), London: Ministry of Justice

246 Hansard HC, 22 February 2010, c256W

247 Table 11, Ministry of Justice (2011) Safety in Custody 2010, London: Ministry of Justice

Indeterminate Sentences for Public Protection (IPP)

The Government has announced its intention to abolish the current IPP sentence as part of the Legal Aid, Sentencing and Punishment of Offenders Bill, currently before Parliament. It will be replaced by a 'two strikes' policy so that a mandatory life sentence will be given to anyone convicted of a second very serious sexual or violent crime as well as the Extended Determinate Sentence (EDS) whereby all people convicted of serious sexual and violent crimes will be imprisoned for at least two-thirds of their sentence, with an extended period of licence on release of up to five years for violent offences, and eight for sexual offences.²⁴⁸ It is as yet unclear what will happen to prisoners currently serving IPP sentences although the Bill contains provisions to change the release test.

1,019 people were given an IPP sentence in 2010, a decrease of 34% since 2008.²⁴⁹

At the end of March 2011 there were 6,550 prisoners serving an indeterminate IPP sentence. 3,500 of these prisoners are held beyond their tariff expiry date.²⁵⁰

Since 2005 just 320 people serving IPP sentences have been released from custody.²⁵¹

Changes were 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 (equivalent to a determinate sentence of four years).

Initially a third of IPP prisoners had tariffs of two years or less. Currently 24% of prisoners serving IPPs have a tariff of less than 2 years, and 49% have a tariff of between 2 and 4 years.²⁵²

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.²⁵³ However the latest Parole Board Annual review highlights the appointment of 57 additional judicial members and 48 new independent and specialist members during the last year. This has led to 40% more lifer and IPP oral hearings panels than before.²⁵⁴

248 <http://www.justice.gov.uk/news/press-releases/moj/moj-newsrelease261011b.htm>

249 Table A5.16, Ministry of Justice (2011) Criminal Justice Statistics 2010, London: Ministry of Justice

250 Ministry of Justice (2011) Provisional figures relating to offenders serving indeterminate sentence of imprisonment for public protection (IPPs), London: Ministry of Justice

251 Hansard HL, 21 November 2011, c825

252 Table 2, Ministry of Justice (2011) Provisional figures relating to offenders serving indeterminate sentence of imprisonment for public protection (IPPs), London: Ministry of Justice

253 Letter from Maria Eagle MP to Andrew Stunell MP, 19 January 2010

254 Parole Board (2011) Annual Report and Accounts 2010/11, London: The Stationery Office

On 19 January 2010, of the 2,468 people being held beyond tariff, 466 had completed no accredited offending behaviour programmes.²⁵⁵

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 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.”²⁵⁶

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.”²⁵⁷

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 on prescribed medication. One IPP prisoner in 20 is, or has been, a patient in a special hospital or regional secure unit.²⁵⁸

Data from the Prison Service’s Safer Custody Group also confirm that IPP prisoners have a raised incidence of self-harm.²⁵⁹

Three people serving IPP sentences took their own lives in 2010.²⁶⁰

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.²⁶¹

According to HM Chief Inspector of Prisons, many IPP prisoners remain unclear about the implications of their sentence.²⁶²

255 Hansard HC, 26 January 2010, c732W

256 Criminal Justice Joint Inspection (2010) Indeterminate sentences for public protection: A Joint Inspection by HMI Probation and HMI Prisons, London: CJI

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

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

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

260 Table 11, Ministry of Justice (2011) Safety in Custody 2010, London: Ministry of Justice

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

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

There is a significant shortage of accredited offending behaviour programmes for IPP prisoners, especially in local prisons. Many IPP prisoners attend their Parole Board hearing with little or nothing to show for their time in prison.²⁶³

On 5 July 2010, 2,120 people serving an IPP sentence “had not completed at least one course”.²⁶⁴

Prisoners whom staff consider to be unsuitable to participate because of mental illness, poor education or emotional instability are often excluded from taking part in programmes entirely.²⁶⁵

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.²⁶⁶ A report by HM Chief Inspectors of Prison and Probation described this predicament – prisoners being unable to access the interventions they needed to secure their release as “kafkaesque”.²⁶⁷

The Joint Committee on Human Rights found, in response to evidence submitted by the Prison Reform Trust, 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).’²⁶⁸

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.”²⁶⁹

The president of the Prison Governors Association has called for the release of the 2,500 prisoners who were jailed indefinitely for the public’s protection (IPP) and have now served more than their minimum tariff.²⁷⁰

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

264 Hansard HC, 26 July 2010, c691W

265 Ibid.

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

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

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

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

270 <http://www.independent.co.uk/news/uk/crime/call-for-public-protection-prisoners-to-be-freed-2104311.html>

People on remand

In 2010, 53,139 people were remanded into custody to await trial. In the same year 38,297 people were remanded into prison convicted but awaiting sentence.²⁷¹

In 2010, 11,105 people remanded in custody were subsequently acquitted.²⁷²

In 2010, 42% of people remanded into custody didn't go on to receive a custodial sentence.²⁷³

The remand population in prison at the end of September 2011 was 13,550, up 7% from the previous year. Within this total, the untried population increased 8% to 9,089 and the convicted unsentenced population increased 4% to 4,461.²⁷⁴

In 2010 28% of children in prison were on remand.²⁷⁵

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.²⁷⁶

In 2010 1,802 (61%) children who were remanded in custody were subsequently acquitted or given a non-custodial sentence.²⁷⁷

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.²⁷⁸

The average waiting time for those remanded into custody awaiting cases committed for trial at the crown court was 9 weeks.²⁷⁹

In the 12 months ending June 2011, 63% of people received into prison on remand awaiting trial were accused of non-violent offences. 14% were remanded into custody for theft and handling of stolen goods, and 9% for drug offences.²⁸⁰

Untried remand receptions by offence type 12 months ending June 2011²⁸¹

Offence Group	Total
Violence against the person	13, 548
Other offences	10,810
Theft and handling	7,323
Burglary	6,015
Drug offences	4,704
Robbery	4,089
Sexual offences	2,070
Fraud and Forgery	1,791
Offence not recorded	1,401
Motoring offences	909

The number of women on remand has remained broadly static over the past year rising by 1% to 789 in September 2011. Women on remand make up 18% of the female prison population.²⁸²

The number of women entering prison on remand awaiting trial has decreased by 13% in the 12 months ending June 2011.²⁸³ This comes after an increase of 22% over the period between 2004 and 2008.²⁸⁴

The number of children imprisoned on remand has increased by 41% since 2000.²⁸⁵

In 2009-10 nearly a quarter of children in custody in England and Wales were locked up on remand – an average of 587 at any one time.²⁸⁶ They spent 44 days in custody on average, 8 days more than in 2007/8.²⁸⁷

271 Table 2.1a, Ministry of Justice (2011) Offender Management Statistics Quarterly Bulletin January to March 2011, London: Ministry of Justice. NB, the same person can be remanded before and after trial, so counting twice

272 Hansard HC, 17 October 2011, c681W

273 Ibid.

274 Table 1.1A, Ministry of Justice (2011) Offender Management Statistics Quarterly Bulletin, April to June 2011, London: Ministry of Justice

275 Table A1.20, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

276 Hansard HC, 12 October 2009, c92W

277 Hansard HC, 5 September 2011, c297W

278 Sally Broadbridge (2009) Compensation for acquitted defendants, London: House of Commons Library

279 Ministry of Justice (2011) Judicial and Court Statistics 2010, London: Ministry of Justice

280 Table 2.2a, Ministry of Justice (2011) Offender Management Statistics Quarterly Bulletin, April to June 2011, London: Ministry of Justice

281 Ibid.

282 Table 1.1c, Ibid.

283 Table 2.1c, Ibid.

284 Ministry of Justice (2010) Offender Management Caseload Statistics 2009, London: Ministry of Justice

285 Gibbs, P. and Hickson, S (2009) Children: Innocent until proven guilty? A briefing on the overuse of remand for children in England and Wales and how it can be addressed, London: Prison Reform Trust

286 Table 5.2, Ministry of Justice (2010) Youth Justice Statistics 2009/10, London: Ministry of Justice

287 Table 5.9, Ibid.

Use of the important alternative to custodial remand – remand to non-secure local authority accommodation – declined by 47% between 2003/4 and 2007/8. 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.²⁸⁸

As at 1 April 2009 the average cost of placing a child remanded to custody in a Secure Training Centre was £160,000 per annum (excluding VAT).²⁸⁹

Between 2001-2010 35% of self-inflicted deaths were by prisoners held on remand, despite comprising 17% of the prison population on average during this period. In 2010, they accounted for half of all self-inflicted deaths, and made up 18% of the population.²⁹⁰

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.²⁹¹

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.²⁹²

Information on the number of unconvicted prisoners who have received no social visits from family is not centrally collated.²⁹³ However the Social Exclusion Unit found that one in four men and half of all women on remand receive no visits from their family.²⁹⁴

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.²⁹⁵

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.²⁹⁶

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.²⁹⁷

A Ministry of Justice survey found that only 32% of prisoners reported being in paid employment in the four weeks prior to custody.²⁹⁸ 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.²⁹⁹

288 Youth Justice Board (2009) Youth Justice Annual Workload Data 2007/08, London: Youth Justice Board and earlier reports from the series.

289 Hansard HC, 18 January 2011, c690W

290 Table 8, Ministry of Justice (2011) Safety in Custody 2010, London: Ministry of Justice

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

292 nacro (2000) Prisoner Resettlement Surveys, Unpublished

293 Hansard HC, 7 December 2010, c201W

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

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

296 nacro (2000) Prisoner Resettlement Surveys, unpublished

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

298 Table 2.36, Ministry of Justice (2010) Compendium of reoffending statistics and analysis, London: Ministry of Justice

299 Ibid.

Releases from and recalls to prison³⁰⁰

There was a total of 87,444 prisoners released from determinate sentences in the 12 months ending June 2011.³⁰¹

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.³⁰²

There were 5,731 recall prisoners in prison on 30 September 2011.³⁰³

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.³⁰⁴ 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 2004.³⁰⁵

Recalled prisoners currently make up nearly 8% of the prison population.³⁰⁶

In 2010-11, 15,603 people were recalled to custody, an increase of 4% on 2009-10.³⁰⁷

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.³⁰⁸

In the last two years 26 prisoners have been granted early release on compassionate grounds.³⁰⁹

300 Unless otherwise stated, all facts in this section are drawn from the Prison Reform Trust's briefing paper, Recycling Offenders through Prison, May 2005

301 Table 3.1, Ministry of Justice (2011) Offender Management Statistics Quarterly Bulletin April to June 2011, London: Ministry of Justice

302 Ministry of Justice (2009) Story of the prison population 1995 – 2009, England and Wales, London: Ministry of Justice

303 Table 1.1A, Ministry of Justice (2011) Offender Management Statistics Quarterly Bulletin, April to June 2011, London: Ministry of Justice

304 Hansard, WH, 5 February 2009, c311WH

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

306 Table 1.1a, Ministry of Justice (2011) Offender Management Statistics Quarterly Bulletin April to June 2011, London: Ministry of Justice

307 Table 5.1, Ministry of Justice (2011) Offender Management Statistics Quarterly Bulletin April to June 2011, London: Ministry of Justice

308 NOMS Recall newsletter edition 7, annex A

309 Freedom of Information request 4 October 2011, available at

In the 12 months ending June 2011, 12,798 people were released on Home Detention Curfew (HDC).³¹⁰ Whilst this is nearly 11% higher than in the same period the year before, it is significantly lower than the 2003 high of 21,188.³¹¹ On 9 December 2011, 2,773 people were on HDC.³¹²

In 2010 there were 1,154 decisions to recall from HDC. Of those recalled, just 18% were for a new offence.³¹³

Under the provisions of the Criminal Justice Act 2003, the time served under licence is increasing markedly. Those serving long sentences are under supervision for the whole sentence, instead of until the three-quarters point.

Proposals currently in the Legal Aid, Sentencing and Punishment of Offenders Bill to introduce an Extended Determinate Sentence include an extended period of licence on release of up to five years for violent offences, and eight for sexual offences.

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.³¹⁴

The end of custody licence (ECL) scheme was withdrawn on 12 March 2010. The withdrawal of the scheme has added around 1,000 to the prison population.³¹⁵

Over the lifetime of the scheme a total of 81,578 prisoners were released on End of Custody Licence (ECL). 1,234 offenders have allegedly reoffended during their period on ECL, 1.5% of all prisoners released on the scheme.³¹⁶

http://www.whatdotheyknow.com/request/elderly_prisoners_and_compassion

310 Table 3.3, Ministry of Justice (2011) Offender Management Statistics Quarterly Bulletin April to June 2011, London: Ministry of Justice

311 Ibid.

312 Ministry of Justice (2011) Weekly Prison Population Bulletin - 9 December 2011, London: Ministry of Justice

313 Table A3.6, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

314 Prisons and Probation Ombudsman (2009) Annual Report 2008-2009, London: COI

315 Ministry of Justice (2010) Offender Management Statistics Quarterly Bulletin April to June 2010, London: Ministry of Justice

316 Table 1 and Table 3c, Ministry of Justice (2010) End of Custody Licence releases and recalls March and April 2010 England and Wales, London: Ministry of Justice

Reoffending

Prison has a poor record for reducing reoffending – 47% of adults are reconvicted within one year of being released – for those serving sentences of less than 12 months this increases to 57%. For those who have served more than 10 previous custodial sentences the rate of reoffending rises to 66%.³¹⁷

51% of women leaving prison are reconvicted within one year – for those serving sentences of less than 12 months this increases to 62%. For those women who have served more than 10 previous custodial sentences the reoffending rate rises to 88%.³¹⁸

58% of young people (18-20) released from custody in the first quarter of 2008 reoffended within a year.³¹⁹

71% of children (10-17) released from custody in 2009 reoffended within a year.³²⁰

Factors affecting reoffending³²¹

Court ordered community sentences are more effective (by eight percentage points) at reducing one-year proven reoffending rates than custodial sentences of less than 12 months for similar offenders. Offenders discharged from immediate custodial sentences also committed more reoffences than matched offenders given a Community Order, with a difference of 80.3 re-offences per 100 offenders in 2008.³²²

41% of prisoners interviewed for the *Surveying Prisoner Crime Reduction* study reported having observed violence in the home as a child. These offenders had a higher one-year reconviction rate than those who did not (58% compared with 48%).

29% of offenders reported experiencing emotional, sexual, or physical abuse as a child. These offenders had a higher one-year reconviction rate than those who did not (58% compared with 50%).

42% of prisoners had been expelled or permanently excluded from school. 63% of offenders who had been expelled or permanently excluded from school were reconvicted for an offence within a year, compared with 44% of offenders who were not.

³¹⁷ Table 18a, 19 and 7a, Ministry of Justice (2011) Proven Re-offending Statistics Quarterly Bulletin January to December 2009, London: Ministry of Justice

³¹⁸ Table A5(F) and A9(F), Ministry of Justice (2011) Adult re-convictions: results from the 2009 cohort, London: Ministry of Justice

³¹⁹ Hansard HC, 17 January 2011, c653W

³²⁰ Table 18b, Ministry of Justice (2011) Proven Re-offending Statistics Quarterly Bulletin January to December 2009, London: Ministry of Justice

³²¹ The following statistics are all taken from Ministry of Justice (2010) Compendium of reoffending statistics and analysis, London: Ministry of Justice

³²² Table 1 and 2, Ministry of Justice (2011) Compendium of reoffending statistics and analysis, London: Ministry of Justice

Over a third (37%) said that someone in their family (other than themselves) had been found guilty of a non-motoring criminal offence. Of these convicted family members, 84% had been in prison, a young offenders' institution or borstal. 59% of offenders with a family member convicted of a non-motoring criminal offence were reconvicted within a year after release compared with 48% who did not have a convicted family member.

Just over half (53%) of the sample reported to have at least one qualification. 60% of those with no qualifications were reconvicted within a year of leaving prison compared with 45% of those with qualifications.

51% of prisoners had been in employment in the year before custody. 40% of offenders who were in employment in the year before prison were reconvicted within a year of leaving prison compared with 65% of those who had not been in employment.

Almost two thirds (64%) said they had claimed benefits during the 12 months before they went to prison. Those who reported having claimed benefits were more likely to be reconvicted (58% compared with 41%) than those who did not report having claimed benefits.

15% of offenders were homeless prior to custody. 79% of offenders who had been homeless prior to custody were reconvicted within a year compared with 47% of those who had accommodation.

71% reported using drugs in the year before custody and 64% reported using drugs in the four weeks prior to custody.

The highest reconviction rate was observed for the 33% of the sample who reported being poly-drug users in the four weeks before custody. Of these prisoners, 71% were reconvicted compared with 48% of those who only used Class B and/or C drugs in the four weeks before custody.

22% of the sample drank alcohol every day in the four weeks before custody. These prisoners were more likely to be reconvicted compared with those who did not drink every day in the four weeks before custody (62% compared with 49%).

The majority of offenders (97%) expressed a desire to stop offending. When asked which factors would be important in stopping them from reoffending in the future, most stressed the importance of 'having a job' (68%) and 'having a place to live' (60%).³²³

³²³ Ministry of Justice (2010) Compendium of reoffending statistics and analysis, London: Ministry of Justice

Social characteristics of prisoners

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

Social Exclusion Unit Report 'Reducing reoffending by ex-prisoners', July 2002

Mothers and fathers in custody, prisoners' children

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

It is estimated that there are 160,000 children with a parent in prison each year.³²⁴ This is around two and a half times the number of children in care (64,400), and over six times the number of children on the Child Protection Register (26,000).³²⁵

In 2006, more children were affected by the imprisonment of a parent than by divorce in the family.³²⁶

The Department of Education estimated in 2003 that, during their time at school, 7% of children experience their father's imprisonment.³²⁷

It is estimated that more than 17,240 children were separated from their mother in 2010 by imprisonment.³²⁸

Imprisonment carries costs to families and wider society. The full cost per family over six months, including the cost to agencies and the cost of support provided by family and relatives, is estimated to average £5,860.³²⁹

Prisoners' families are vulnerable to financial instability, poverty, debt and potential housing disruption, and it is estimated that the average personal cost to the family and relatives of a prisoner is £175 per month, although these figures are conservative estimates and are likely to be higher.³³⁰

Prison governors receive no specific funding to meet the costs of family support work, parenting courses, family visitor centres or supervised play areas. This means any family provision must come from a governor's already stretched and shrinking general prison budget.³³¹

Over half (54%) of prisoners interviewed for the *Surveying Prisoner Crime Reduction* study had children under the age of 18 at the time they entered prison. About two fifths of these respondents reported being single (43%). About three quarters of the whole sample (74%) strongly agreed or agreed that they were close to their family. The vast majority felt that they had let their family down by being sent to prison (82%).³³²

Only 9% of children whose mothers are in prison are cared for by their fathers in their mothers' absence.³³³

At least a fifth of mothers are lone parents before imprisonment, compared to around 9% of the general population.³³⁴

Black and ethnic minority women in prison 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.³³⁵

61% of women interviewed at HMP Styal had partners; however a third of these partners were currently also in prison. The same study showed that children had been taken away from 70% of the mothers, and that the remainder were with family.³³⁶

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.³³⁷

One in four men and half of all women on remand receive no visits from their family.³³⁸

324 Niven, S. and Stewart D. (2005) 'Resettlement Outcomes on Release from Prison in 2003', Home Office Research findings no. 248, London: Home Office

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

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

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

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

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

330 Ibid.

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

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

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

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

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

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

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

338 HM Inspectorate of Prisons (2000) Unjust Deserts, London: HM Inspectorate of Prisons

Maintaining contact with children is made more difficult by the distance that many prisoners are held from their home area; in 2009 the average distance for men was 50 miles and 55 miles for women.³³⁹ This is particularly acute for women given the limited number of women's prisons; in 2009 there were 753 women held over 100 miles from home.³⁴⁰

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 serving their first custodial sentence.³⁴¹

An ICM public opinion poll, commissioned by SmartJustice in March 2007, found that, of 1,006 respondents across the UK, 73% thought that mothers of young children should not be sent to prison for non-violent crime.³⁴²

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 10 year period.³⁴³

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).³⁴⁴

Between April 2005 and December 2008, 382 children were born to women prisoners. This is a rate of almost two births a week in England and Wales.³⁴⁵ However, information on the number of women who have given birth in prison is now no longer collected centrally.³⁴⁶

Between April 2006 and March 2009 seven girls aged 16 and 17 years old in secure training centres and one in a secure children's home gave birth.³⁴⁷

Women with babies in prison may be unable to claim benefits for their children.³⁴⁸

339 Hansard HC, 7 January 2010, c548W

340 Hansard HC, 25 November 2009, c238W

341 Home Office Research Study 162 (1997) *Imprisoned Women and Mothers*, Home Office: London

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

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

344 Ibid.

345 Hansard HC, 26 January 2009, c202W

346 Hansard HC, 10 May 2011, c1072W

347 Hansard HC, 29 April 2009, c1332W

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

25% of young men in young offender institutions are, or are shortly to become, fathers.³⁴⁹

According to a Prisons Inspectorate and Youth Justice Board survey, 10% of boys and 9% of girls, aged between 15 and 18 years old had children themselves.³⁵⁰

In 2004, for the first time the government announced that a record will be kept of prisoners' children.³⁵¹ 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.'³⁵²

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.'³⁵³

35% of men and 28% of women described themselves as living with a partner before entering custody.³⁵⁴

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/or anti-social/delinquent behaviour compared to other children.³⁵⁵

Parental imprisonment approximately trebles the risk for antisocial-delinquent behaviour of children.³⁵⁶

349 Fathers Direct (2004) *Inside Fatherhood: a guide to giving inmates, children and partners a fresh start*, London: Department for Education and Skills

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

351 Hansard HC, 12 September 2004

352 Ministry of Justice and Department for Children, Schools and Families, *Children of Offenders Review*, June 2007

353 HM Chief Inspector of Prisons for England and Wales (2010) *Annual Report 2008-09*, London: HMIP

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

355 Social Exclusion Unit (2002) *Reducing reoffending by ex-prisoners*, London: Social Exclusion Unit, and Murray, J., & Farrington, D. P. (2008) 'The effects of parental imprisonment on children'. In M. Tonry (Ed.), *Crime and justice: A review of research* (Vol. 37, pp. 133-206). Chicago: University of Chicago Press.

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

Over a third (37%) of prisoners interviewed for the *Surveying Prisoner Crime Reduction* study said that someone in their family (other than themselves) had been found guilty of a non-motoring criminal offence. Of these convicted family members, 84% had been in prison, a young offenders' institution or borstal. 59% of offenders with a family member convicted of a non-motoring criminal offence were reconvicted within a year after release compared with 48% who did not have a convicted family member.³⁵⁷

During their sentence 45% of people lose contact with their families and many separate from their partners.³⁵⁸

Research indicates that the odds of reoffending were 39% higher for prisoners who had not received visits whilst in prison compared to those who had.³⁵⁹

30% of boys and 47% of girls in custody reported having had no visits in the last month or never had visits. There were poorer responses from black and ethnic minority young men to all the questions on keeping in touch with family and friends. Only 49% said that they could use the telephone daily compared with 60% of white boys.³⁶⁰

Just a third of children said that it was easy or very easy for a loved one to visit them.³⁶¹

21 prisoners with dependent children took their own life in the 12 months to 31 August 2009.³⁶² Approximately 30% of prisoners who take their own lives had no family contact prior to their deaths.³⁶³

In 2008-09 closed visiting conditions were imposed on 1,817 occasions.³⁶⁴ 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.³⁶⁵

³⁵⁷ Ministry of Justice (2010) *Compendium of reoffending statistics and analysis*, London: Ministry of Justice

³⁵⁸ Nacro (2000) *The forgotten majority*, London: Nacro

³⁵⁹ May, C. et al. (2008) *Factors linked to reoffending: a one-year follow-up of prisoners who took part in the Resettlement Surveys 2001, 2003 and 2004*, London: Ministry of Justice

³⁶⁰ Cripps, H., (2010) *HM Inspector of Prisons and Youth Justice Board, Children and Young People in Custody 2009-2010, an analysis of the experiences of 15-18-year-olds in prison*, London: HMIP

³⁶¹ Ibid.

³⁶² Ryan-Mills, D. (2010) *Review: Fatal Incidents Reports from September 2008 to August 2009*, London: Prisons and Probation Ombudsman for England and Wales

³⁶³ NOMS, *Safer Custody News*, January/February 2010

³⁶⁴ Hansard HC, 22 March 2010, c21W

³⁶⁵ HM Chief Inspector of Prisons (2009) *Race relations in prisons: responding to adult women from black and minority ethnic backgrounds*, London: The Stationery Office

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.

The HM Chief Inspector of Prisons 2010 annual report 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'.³⁶⁶

The number of visitors arrested or apprehended who have been suspected of smuggling drugs into prisons has fallen by 40% in the last three years from 472 in 2008-09 to 282 in 2010-11.³⁶⁷

HM Inspectorate of Prisons has found that an average of 40% of prisoners in closed prisons reported difficulties with sending or receiving mail, and around a quarter of prisoners reported difficulty in accessing telephones. Alterations to prison regimes have reduced the opportunity for prisoners to use the telephone. The inspectorate found instances where unemployed prisoners were not allowed to use the telephone in the evening and so were unable to contact children and working relatives and friends.³⁶⁸

From May 2010 BT reduced the prohibitively high 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 the Prison Reform Trust to the regulator Ofcom. Prison payphone calls to landlines have only dropped from 11 pence to nine pence per minute on weekdays and eight 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.³⁶⁹

³⁶⁶ HM Chief Inspector of Prisons for England and Wales (2010) *Annual Report 2008-09*, London: HM Inspectorate of Prisons

³⁶⁷ Hansard HC, 3 May 2011, c628W

³⁶⁸ HM Chief Inspector of Prisons for England and Wales (2011) *Annual Report 2010-11*, London: HMIP

³⁶⁹ <http://www.prisonreformtrust.org.uk/standard.asp?id=1735>

Women in prison

On 9 December 2011 the number of women in prison in England and Wales stood at 4,211, 33 fewer than a year before.³⁷⁰ Between 2000 to 2010 the women's prison population increased by 27%. In 1995 the mid-year female prison population was 1,979. In 2000 it stood at 3,355 and in 2010 it was 4,267. A total of 10,334 women were received into prison in 2010, a 6% decrease on 2009.³⁷¹

Following the re-role of HMP Morton Hall to an Immigration Removal Centre there are now 13 women's prisons in England and none in Wales. Women represent 5% of the overall prison population.³⁷²

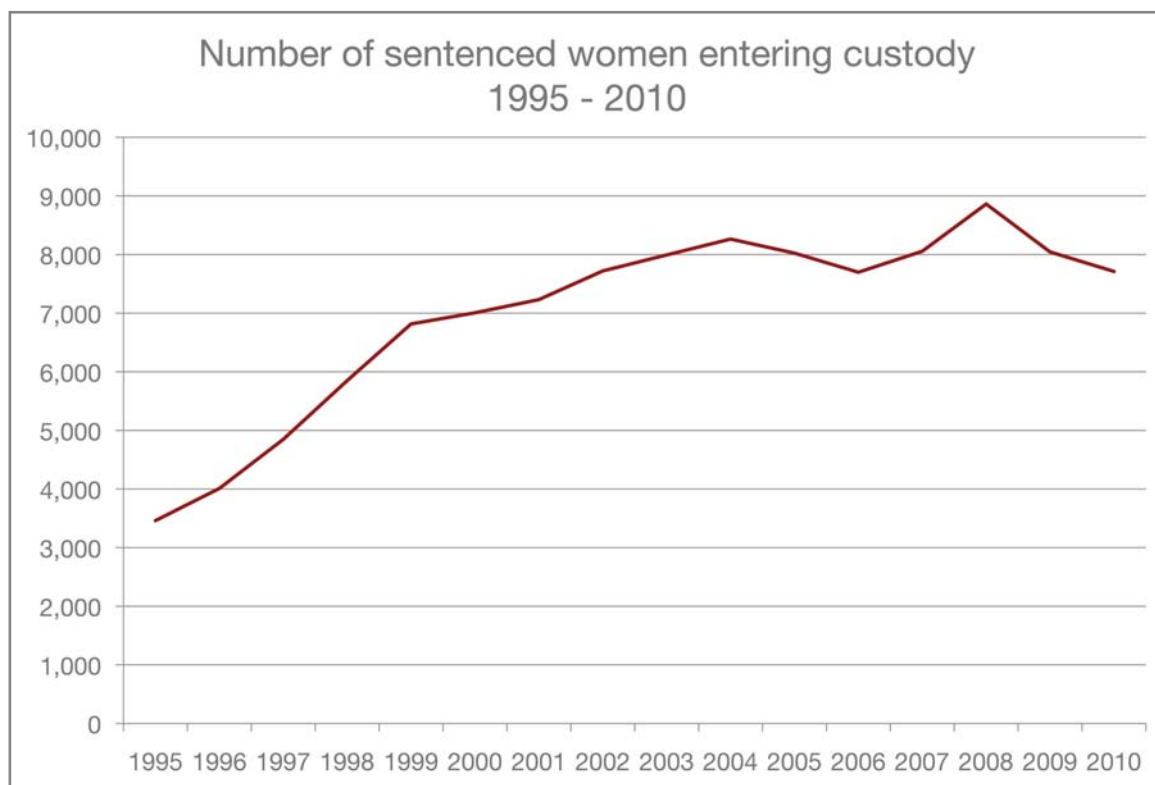
28% of women in prison had no previous convictions – more than double the figure for men (13%).³⁷³

13% of women serving sentences of under 12 months had no previous convictions, compared with only 8% of men.³⁷⁴

The number of women on remand has remained broadly static over the past year rising by 1% to 789 in September 2011. Women on remand make up 18% of the female prison population.³⁷⁵

There has been a 15% decrease in the number of women remanded into custody falling from 6,721 in 1999 to 5,724 in 2009.³⁷⁶ These women spend an average of four to six weeks in prison and nearly 60% do not go on to receive a custodial sentence.³⁷⁷

51% of women leaving prison are reconvicted within one year – for those serving sentences of less than 12 months this increases to 62%. For those women who have served more than 10 previous custodial sentences the reoffending rate rises to 88%.³⁷⁸



Ministry of Justice (2010) Offender Management Caseload Statistics Quarterly Bulletin January to March 2011, London: Ministry of Justice; Offender Management Caseload Statistics 2009 and and Offender Management Caseload Statistics 2003

370 Ministry of Justice (2011) Weekly Prison Population Bulletin - 9 December 2011, London: Ministry of Justice

371 Ministry of Justice (2010) Offender Management Caseload Statistics 2009, London: Ministry of Justice

372 NOMS, Population and Capacity Briefing, 10 June 2011

373 Table A1.26, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

374 Table A1.27, Ibid.

375 Table 1.1c, Ministry of Justice (2011) Offender Management Statistics Quarterly Bulletin, April to June 2011, London: Ministry of Justice

376 Table 6.1, Ministry of Justice (2010) Offender Management Caseload Statistics 2009, London: Ministry of Justice and Table 7.1, Ministry of Justice (2007) Offender Management Caseload Statistics 2006, London: Ministry of Justice

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

378 Table A5(F) and A9(F), Ministry of Justice (2011) Adult re-convictions: results from the 2009 cohort, London: Ministry of Justice

At the end of September 2011 there were 650 foreign national women in prison, 15% of the women's prison population.³⁷⁹

In the 12 months to June 2011 80% of women entering custody under sentence had committed a non-violent offence, compared with 70% of men.³⁸⁰

Theft and handling was the most common offence that women were serving a custodial sentence for during the same period. They accounted for 34% of all women serving custodial sentences.³⁸¹

A Cabinet Office study found that 28% of women offenders' crimes were financially motivated, compared to 20% of men.³⁸²

1,052 women entered prison in 2009 for breaching a court order. This represents 13% of all women entering prison under an immediate custodial sentence.³⁸³

Most women serve very short sentences. In 2010 61% were sentenced to custody for six months or less.³⁸⁴

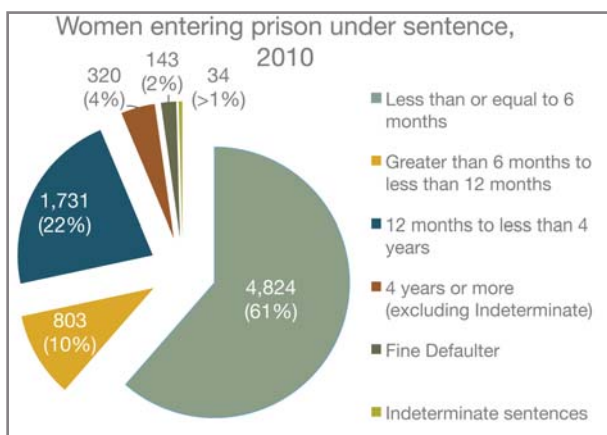


Table 2.1c, Ministry of Justice (2011) Offender Management Caseload Statistics Quarterly Bulletin January to March 2011, London: Ministry of Justice

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 2010 14% were.³⁸⁵

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. The re-role of HMP Morton Hall to an Immigration Removal Centre has reduced the operational capacity of the female estate by 392 places.³⁸⁶

The average distance adult women in prison are held from their home or committal court address is 55 miles.³⁸⁷ In 2009 753 women were held over 100 miles away.³⁸⁸

A University of Oxford report on the health of 500 women prisoners, showed that women in custody are five times more 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".

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.³⁸⁹

52% of women surveyed said that they had used heroin, crack, or cocaine powder in the four weeks prior to custody, compared to 40% of men. However, practitioners report that women may hide or underplay substance misuse through fear of losing their children.³⁹⁰

Of all the women who are sent to prison, 37% say they have attempted suicide at some time in their life.³⁹¹

There were 56 self-inflicted deaths of women prisoners between 2002 and 2010.³⁹²

385 Table A5.19, Ministry of Justice (2011) Criminal Justice Statistics Quarterly Update to December 2010, London: Ministry of Justice and Table 1.8, Ministry of Justice (2007) Sentencing Statistics 2006, London: Ministry of Justice

386 Ministry of Justice (2009) A Report on the Government's Strategy for Diverting Women Away from Crime, London: Ministry of Justice

387 Hansard HC, 7 January 2010, c548W

388 Hansard HC, 25 November 2009, c238W

389 Plugge, E. et al. (2006) The Health of Women in Prison, Oxford: Department of Public Health, University of Oxford

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

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

392 Table 5, Ministry of Justice (2011) Safety in Custody 2010 England and Wales, London: Ministry of Justice

379 Table 1.5, Ministry of Justice (2011) Offender Management Statistics Quarterly Bulletin, April to June 2011, London: Ministry of Justice

380 Table 2.2b, Ibid.

381 Ibid.

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

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

384 Table 2.1c, Ministry of Justice (2011) Offender Management Statistics Quarterly Bulletin, April to June 2011, London: Ministry of Justice

In 2010, there were a total of 26,983 incidents of self-harm in prisons, with 6,639 prisoners recorded as having injured themselves. Women accounted for 47% of all incidents of self harm despite representing just 5% of the total prison population.³⁹³

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.³⁹⁴

As of March 2011 there were 150 women in prison serving IPP sentences, just over 2% of the total IPP population.³⁹⁵

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.³⁹⁶

Over half the women in prison report having suffered domestic violence and one in three has experienced sexual abuse.³⁹⁷

Women prisoners are subject to higher rates of disciplinary proceedings than men. In 2009 there were 150 proven breaches against discipline per 100 women in prison compared to 124 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.”³⁹⁸

The proportion of women prisoners under sentence aged 40 and over has risen from 18% in 2002 to 28% in 2009.³⁹⁹

Around one-third of women prisoners lose their homes, and often their possessions, whilst in prison.⁴⁰⁰

Women prisoners are often inadequately prepared for release. Only 24% of women with a prior skill had the chance to put their skills into practice through prison work.⁴⁰¹ Just 11% of women received help with housing matters.⁴⁰²

A Prisons Inspectorate survey found that 38% of women in prison did not have accommodation arranged on release.⁴⁰³ Only a third of women prisoners who wanted help and advice about benefits and debt received it.⁴⁰⁴

In 2010 a higher proportion of women than men completed their community sentence successfully or had their sentences terminated for good progress on both community orders (69%) and suspended sentence orders (74%).⁴⁰⁵

In March 2007, the Corston review of vulnerable women in the criminal justice system, commissioned following the deaths of six women at Styal prison, stated: ‘Community solutions for non-violent women offenders should be the norm’. The Report 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.’⁴⁰⁶

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.⁴⁰⁷

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.⁴⁰⁸

393 Table 1, Ministry of Justice (2011) Safety in Custody 2010 England and Wales, London: Ministry of Justice

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

395 Table A1.15, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

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

397 Ibid.

398 Ministry of Justice (2010) Statistics on Women and the Criminal Justice System, London: Ministry of Justice

399 Ministry of Justice (2010) Offender Management Caseload Statistics 2009, London: Ministry of Justice

400 Wedderburn, D. (2000) Justice for Women: The Need for Reform, London: Prison Reform Trust

401 Hamlyn, B. and Lewis, D. (2000) Women Prisoners: A Survey of their Work and Training Experiences in Custody and on Release, Home Office Research Study 208, London: Home Office

402 HM Inspectorate of Prisons and HM Inspectorate of Probation (2001) Through the Prison Gate, London: Home Office

403 Ibid.

404 Ibid.

405 Table A4.23, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

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

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

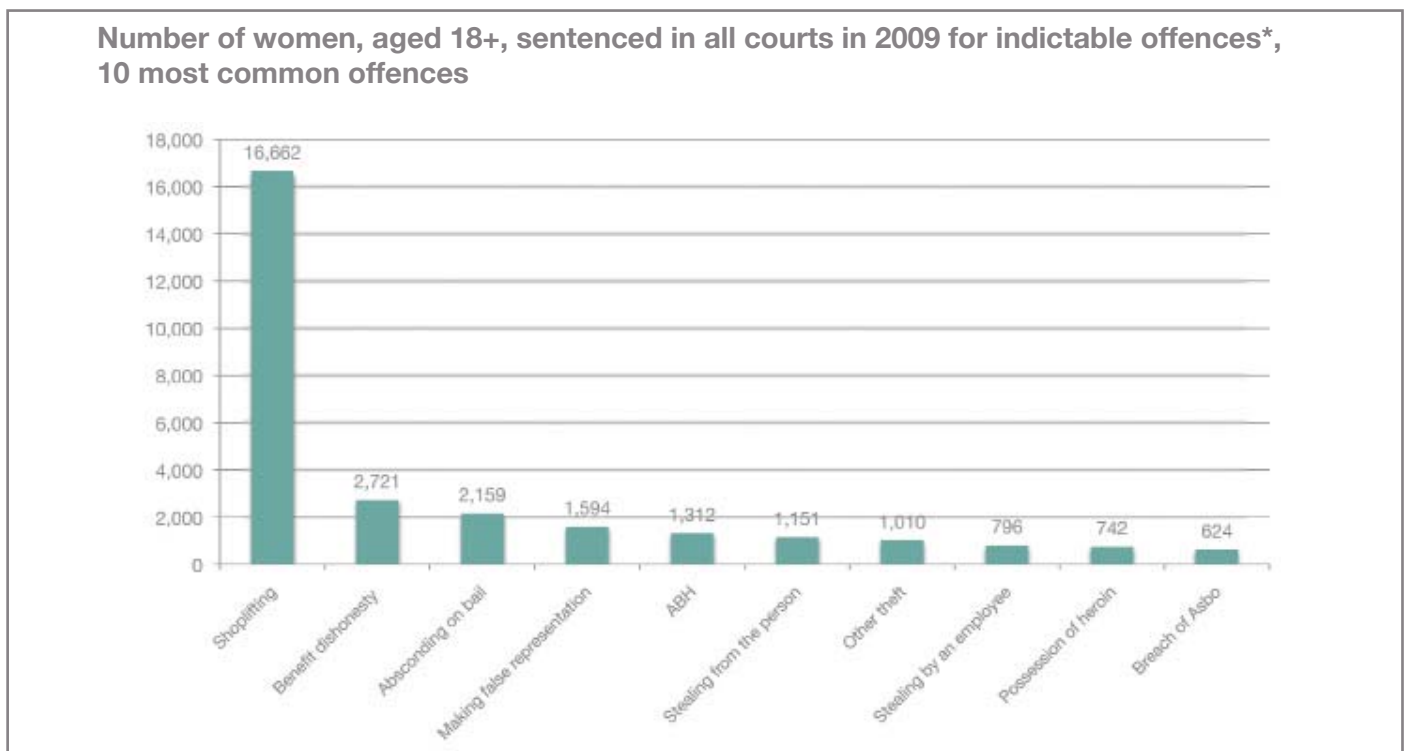
408 new economics foundation (2008) Unlocking value: How we all benefit from investing in alternatives to prison for women offenders, London: new economics foundation

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.⁴⁰⁹ The long-run value of these benefits is in excess of £100 million over 10 years.⁴¹⁰

On 21 December 2010 the UN General Assembly took an important step towards meeting the needs and characteristics of women in the criminal justice system. By adopting Resolution A/RES/65/229, it approved the UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (known as the 'Bangkok Rules'). The Rules supplement but do not replace the UN Standard Minimum Rules for the Treatment of Prisoners and the UN Standard Minimum Rules for Non-custodial Measures (the 'Tokyo Rules').⁴¹¹

The new Bangkok Rules include an annex that addresses such issues as gender-sensitive prisoner classification and security risk assessments, gender-specific health-care services, treatment of children living with their mothers in prison, the specific safety concerns of women prisoners, and the development of pre- and post-release programmes that take into account the stigmatisation and discrimination that women face once released from prison.⁴¹²

On 16 October the National Council of Women (NCW) unanimously adopted a resolution to reduce women's imprisonment. They are calling on the government to prioritise the sustained and determined implementation of measures to divert women from crime, reduce offending and reoffending by women, and stop sending so many women to prison.⁴¹³



Sentencing Council (2011), unpublished statistics from the Ministry of Justice Court Proceedings Database 2009

409 Ibid.

410 Ibid.

411 Penal Reform International (2011) Briefing on the UN rules for the treatment of women prisoners and non-custodial measures for women offenders ('Bangkok rules'), London: Penal Reform International

412 <http://www.un.org/News/Press/docs/2010/gashc3980.doc.htm>

413 National Council of Women website available at <http://www.ncwgb.org/news.php>

Minority ethnic prisoners

On 30 June 2010 just under 26% of the prison population, 21,878 prisoners, was from a minority ethnic group. This is slightly less than in 2009, but represents an increase on that recorded for 2005 (25%).⁴¹⁴ This compares to one in 10 of the general population.⁴¹⁵

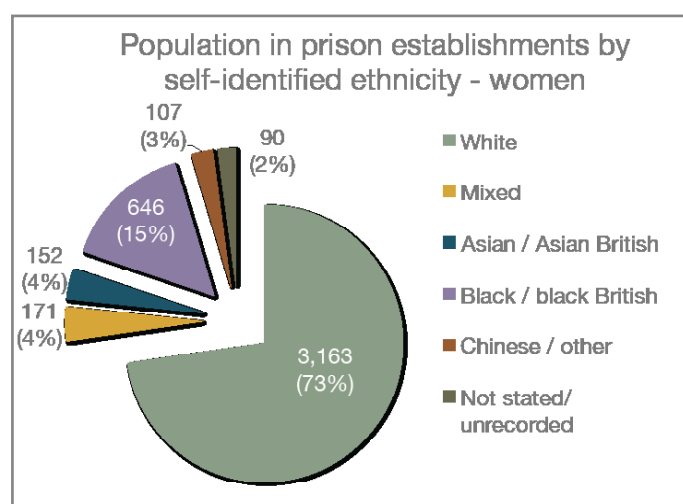
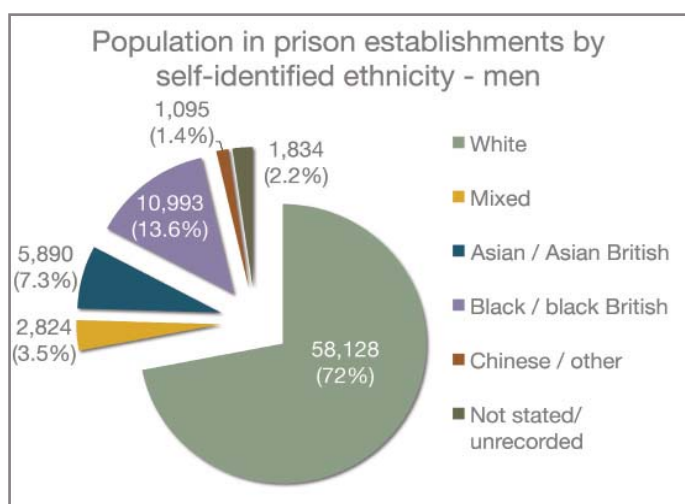
Out of the British national prison population, 11% are black and 5% are Asian.⁴¹⁶ For black Britons this is significantly higher than the 2.8% of the general population they represent.⁴¹⁷

Overall black prisoners account for the largest number of minority ethnic prisoners (53%).⁴¹⁸

At the end of June 2010, 32% of minority ethnic prisoners were foreign nationals.⁴¹⁹

In 2010, the highest average custodial sentence length (ACSL) for those given determinate sentences for indictable offences was recorded for the Black ethnic group, at 20.8 months, followed by the Asian and Other groups with averages of 19.9 months and 19.7 months respectively. The lowest ACSL was recorded for the White group at 14.9 months.⁴²¹

At the end of June 2010, 30% of mixed, 29% of white, 28% of Asian, 28% of black, and 15% of Chinese or other prisoners were serving a sentence for offences of violence against the person. 47% of Chinese or other prisoners, 26% of Asian, 25% of black, 19% of mixed, and 13% of white prisoners were serving sentences for drugs offences.⁴²²



A higher percentage of those in BME groups were sentenced to immediate custody for indictable offences than in the White group in 2010 (White 23%, Black 27%, Asian 29% and Other 42%). This may in part be due to differences in plea between ethnic groups.⁴²⁰

There is now greater disproportionality in the number of black people in prisons in the UK than in the United States.⁴²³

In 2002 there were more African Caribbean entrants to prison (over 11,500) than there were to UK universities (around 8,000).⁴²⁴

Although a growing number of establishments have an overarching diversity policy covering all of the main protected characteristics, almost half do not.⁴²⁵

414 Table A1.17, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

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

416 Table A1.17, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

417 Table 4, Office for National Statistics (2011-) Population Estimates by Ethnic Group 2002 – 2009, London: Office for National Statistics

418 Table A1.17, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

419 Table A1.17, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

420 Ministry of Justice (2011) Race and the Criminal Justice System 2010, London: Ministry of Justice

421 Ibid.

422 A1.19, Ibid.

423 Equality and Human Rights Commission (2010) How fair is Britain? London: Equality and Human Rights Commission

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

425 HM Chief Inspector of Prisons for England and Wales (2011) Annual Report 2010-11, London: HMIP

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. Muslim prisoners in particular had consistently more negative perceptions than the prison population as a whole, responses were negative in 60% of the Inspectorate's questions, compared to 55% from black and minority ethnic prisoners, and 51% from foreign nationals.⁴²⁶

White men were twice as likely as black men to agree that complaints are sorted out fairly in their prison.⁴²⁷ NOMS have accepted that this still remains a challenge.⁴²⁸

Black prisoners are consistently more likely than white British prisoners to be on basic regime, to be in the segregation unit for reasons of good order or discipline and to have force used against them.⁴²⁹

Black and minority ethnic prisoners are under-represented in those granted release on temporary licence.⁴³⁰

Research undertaken by the 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.⁴³¹

Survey findings by HM Inspectorate of Prisons indicate that prisoners from a black or minority ethnic background, foreign nationals, Muslim prisoners and those under the age of 21 are more likely to report having spent time in the segregation or care and separation unit in the last six months.⁴³²

426 Ibid.

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

428 Ministry of Justice (2008) *Race Review 2008, Implementing Race Equality in Prisons - Five Years On*, London: Ministry of Justice

429 Ibid.

430 HM Chief Inspector of Prisons for England and Wales (2011) *Annual Report 2010-11*, London: HMIP

431 Edgar, K. (2010) *A Fair Response: developing responses to racist incidents that earn the confidence of black and minority ethnic prisoners*, London: Prison Reform Trust

432 HM Chief Inspector of Prisons for England and Wales (2011) *Annual Report 2010-11*, London: HMIP

Foreign national prisoners

Foreign national prisoners are a diverse group. The term encompasses people not only of different nationalities, but also differing statuses, some may have travelled to Britain as economic migrants seeking a better life, others may be fleeing persecution from their homeland.

Asylum seekers who may have fallen foul of the law, for example, may have little in common with those incarcerated for drug importation, whilst those held in prison for transgressing immigration laws may feel aggrieved at being housed with those they view as 'criminals' but who incidentally happen also to be of foreign national origin.⁴³³

At the end of September 2011 there were 11,076 foreign nationals (defined as non-UK passport holders) held in prisons in England and Wales, 13% of the overall prison population.⁴³⁴

These prisoners come from 159 countries, but over half are from 10 countries (Jamaica, Republic of Ireland, Poland, Nigeria, Vietnam, Pakistan, Romania, Lithuania, Somalia, and India).⁴³⁵

In 2009 11,268 untried foreign national people were received into custody. The number of untried foreign national receptions has increased 136% since 1999. In comparison, untried receptions of British nationals have decreased 28% between 1999 and 2009.⁴³⁶

The total number of foreign nationals in prison nearly doubled (99%) between 2000 and 2010. This compares to a 20% increase in British nationals.⁴³⁷

Currently 15% of women in prison, 650, are foreign nationals, some of whom are known to have been coerced or trafficked into offending.⁴³⁸

46% of foreign national women in prison are serving a custodial sentence for drug offences, compared to 21% of women of British nationality. 25% 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 30%.⁴³⁹

Women imprisoned for drugs importation are largely from Nigeria, Jamaica and South Africa.⁴⁴⁰

16% of foreign national women imprisoned are there for fraud and forgery offences (usually possession of false documents).⁴⁴¹

41% of women within the current Hibiscus, Female Prisoners Welfare Project, caseload were charged with offences such as deception and fraud, in relation to their immigration status and related paperwork. The average sentences for false documents were 8½ months and for deception 12 months.⁴⁴²

Hibiscus 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 charged 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.⁴⁴³

In 13 prisons, foreign national prisoners make up a quarter or more of the population.⁴⁴⁴ In 2006, two prisons, Canterbury and Bullwood Hall were reserved for a foreign national population; and in 2009 six additional prisons were designated as 'hubs' where foreign national prisoners might be concentrated - HMP Risle, Hewell, Morton Hall (since re-roled as an Immigration Removal Centre), The Mount, The Verne, and Wormwood Scrubs.

Between 2007 and 2010 the UK Border Agency removed or deported 20,365 foreign national offenders.⁴⁴⁵

The government has stated that it expects about 60 prisoners to be transferred in 2011-12 to serve their sentence in their country of origin.⁴⁴⁶

433 Nacro (2010) Foreign national offenders, mental health and the criminal justice system, London: Nacro

434 Table 1.5, Ministry of Justice (2011) Offender Management Statistics Quarterly Bulletin, April to June 2011, London: Ministry of Justice

435 Ibid.

436 Ministry of Justice (2010) Offender Management Caseload Statistics 2009, London: The Stationery Office

437 Table A1.17, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

438 Table 1.5, Ministry of Justice (2011) Offender Management Statistics Quarterly Bulletin, April to June 2011, London: Ministry of Justice

439 Table A1.19, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

440 Forthcoming (2011) briefing paper by Prison Reform Trust and Hibiscus

441 Table A1.19, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

442 Forthcoming (2011) briefing paper by Prison Reform Trust and Hibiscus

443 Ibid.

444 Table 1.4, Ministry of Justice (2011) Offender Management Statistics Quarterly Bulletin, April to June 2011, London: Ministry of Justice

445 Hansard HC, 11 July 2011, c68W

446 Hansard HC, 17 May 2011, c140

The government has said it is ‘committed to exploring ways of removing [foreign national prisoners] even earlier’.⁴⁴⁷

The average number of days taken to remove a foreign national offender following the completion of their custodial sentence has fallen from 131 days in 2008 to 77 in 2011.⁴⁴⁸

It costs the UK Border Agency £102 per night to keep an individual in immigration detention.⁴⁴⁹

The United Kingdom has prisoner transfer arrangements with over 100 countries and territories. The majority of these arrangements are voluntary agreements which require the consent of both states involved, as well as that of the prisoner concerned, before transfer can take place.⁴⁵⁰

On 5 December 2011 the Council Framework Decision 2008/909/JHA came into force. This allows the transfer of convicted prisoners back to their EU country of nationality, habitual residence or another EU country with which they have close ties, without prior consent. Poland will have a further three years for implementation.⁴⁵¹

In 2010, for an average month, approximately 635 foreign national prisoners were detained in prisons and 1,135 detained in immigration removal centres beyond the end of their custodial sentence while deportation was considered.⁴⁵²

In May 2010, there were 3,808 foreign national offenders who had not been removed at the end of their sentence and were not being detained for immigration purposes, an increase of 53% since 2009.⁴⁵³

Whilst healthcare in prisons is commissioned by the NHS, services in Immigration Removal Centres are still provided by private agencies under contract to the Home Office and are therefore not provided by the NHS nor regulated by the Care Quality Commission.⁴⁵⁴

447 Hansard HC, 4 November 2010, c878W

448 Hansard HC, 24 October 2011, c41W

449 Hansard HC, 5 December 2011, c26W

450 Hansard HC, 1 November 2010, c510W

451 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:2008F0909:20090328:en:PDF> and

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:146:0021:0021:EN:PDF>

452 Hansard HC, 29 June 2011, c440W

453 Hansard HC, 2 November 2011, c641W

454 Nacro (2010) Foreign national offenders, mental health and the criminal justice system, London: Nacro

Children in prison

At the end of September 2011 there were 2,061 children (under-18s) in custody – an decrease of 85 from the same point last year. There were 1,596 children held in young offender institutions, 290 in secure training centres and 175 in secure children's homes.⁴⁵⁵

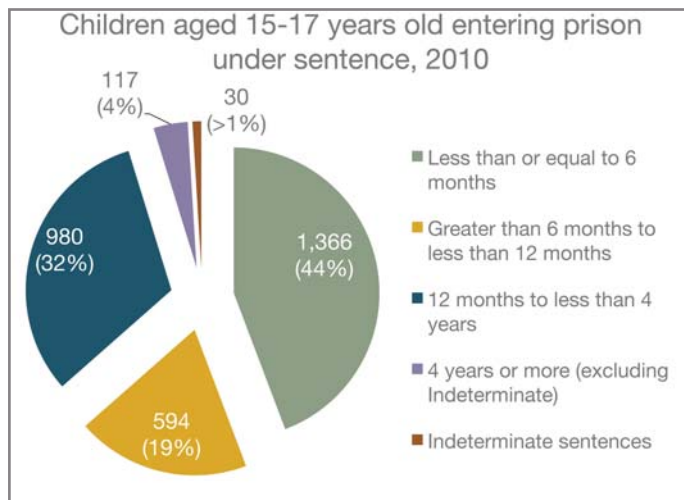


Table 2.1a, Ministry of Justice (2011) Offender Management Caseload Statistics Quarterly Bulletin January to March 2011, London: Ministry of Justice

In April 2011, there were 93 children aged 14 and under in the secure estate in England and Wales. 16 were aged 13 and 1 was aged 12.⁴⁵⁶

There has been a 45% drop in the number of children and young people entering the youth justice system and there are 1,000 fewer young people in custody than there were 10 years ago.⁴⁵⁷

The falling number of children and young people in custody is partly attributable to the reduction in those serving Detention and Training Orders (DTOs): between 2007 and 2011 this fell by 37%.⁴⁵⁸ The proportion of young people in custody serving DTOs of between 12 and 24 months has fallen by 15% between March 2010 and March 2011.⁴⁵⁹

However, although the total population is falling, the average length of time spent in custody by each child increased by four days between 2007–08 and 2009–10.⁴⁶⁰

The Youth Justice Board (YJB) decommissioned 598 places in the young people's estate in 2010–11. One inevitable consequence however is that young people may now be held further from home than before.⁴⁶¹

455 Youth Justice Board (2011) Monthly Youth Custody Report - September 2011, London: Youth Justice Board

456 Figure 1, Ibid.

457 HM Chief Inspector of Prisons for England and Wales (2011) Annual Report 2010–11, London: HMIP

458 Allen, R. (2011) Last Resort? Exploring the reduction in child imprisonment 2008–11, London: Prison Reform Trust

459 Summerfield, A. (2011) Children and Young People in Custody 2010–11, London: HM Inspectorate of Prisons and Youth Justice Board

460 Ibid.

461 Youth Justice Board (2011) Annual Report and Accounts 2010/11,

In March 2010, 24% of children were held over 50 miles from their home, including 7% held over 100 miles away. In March 2011 this increased to 30% who were held over 50 miles from home, including 10% held over 100 miles away.⁴⁶²

In 2009, 4,014 children aged between 15 and 17 entered prison under sentence. 1,895 of those entering prison were to serve sentences up to and including six months.⁴⁶³

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 2000.⁴⁶⁴

513 children aged 12, 13 and 14 were sentenced to custody in 2007. Of these children, it would have been unlawful to incarcerate 465 of them until 1998. Just 48 were sentenced for grave crimes or were given extended sentences for serious offending.⁴⁶⁵

In 2009, 349 children (under-18) with no previous convictions received a custodial sentence.⁴⁶⁶ At June 2010, 9% of children in prison (15-17) had no previous convictions.⁴⁶⁷

Between 2005 and 2010 178 children (10-17) started an indeterminate sentence in custody, only 11 were released before their 18th birthday.⁴⁶⁸

In 2008, 723 children (15-17) were imprisoned for breaching a court order.⁴⁶⁹ In 2008-9, 22% of 12 year olds and more than a quarter of 13 year olds in custody were imprisoned for breach of a statutory order.⁴⁷⁰

22% of those children in custody aged 12, 13 and 14 received their sentence for 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.⁴⁷¹

London: Youth Justice Board

462 Summerfield, A. (2011) Children and Young People in Custody 2010–11, London: HM Inspectorate of Prisons and Youth Justice Board

463 Ministry of Justice (2010) Offender Management Caseload Statistics 2009, London: Ministry of Justice

464 Glover, J. and Hibbert, P. (2009) Locking up or giving up? Why custody thresholds for teenagers aged 12, 13 and 14 need to be raised. An analysis of the cases of 214 children sentenced to custody in England in 2007-08, Ilford: Barnardos

465 Ibid.

466 Hansard HC, 7 December 2010, c208W

467 Table A1.26, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

468 Hansard HC, 26 October 2011, c240W

469 Ministry of Justice (2009) Offender Management Caseload Statistics 2008, London: Ministry of Justice

470 National Children's Bureau (2010) Children and young people in 'breach', London: NCB

471 Ibid.

During the period 1 April 2008 to 31 March 2009, there were 1,308 young people under 18 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.⁴⁷²

Average cost of remand per bed per night by accommodation type⁴⁷³

Accommodation type	Cost per night
Secure Training Centre	£760.50
Secure Children's Home	£578.08
Young Offender Institution	£156.16

In 2010, 61% of children who were remanded in custody were subsequently acquitted or given a non-custodial sentence.⁴⁷⁴

In 2009-10 there was a total of 1,121 cases of custodial remand of children lasting one week or less.⁴⁷⁵

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.⁴⁷⁶

In 2009, more 17 year olds were received into prison on remand than under sentence.⁴⁷⁷

In 2010-11 over half of boys (53%; an increase from 39% in 2009-10) and 48% of girls told HM Inspectorate of Prisons it was their first time in custody – a group more likely to report feeling unsafe.⁴⁷⁸

Reconviction rates are very high for children, 71% of those released from custody in 2009 reoffended within a year.⁴⁷⁹

Incarceration is very expensive. In 2010-11 it accounted for 59% of the Youth Justice Board's expenditure.⁴⁸⁰ £268.9 million was spent on the whole secure estate for children last year.⁴⁸¹ Around half of children in prison were imprisoned for non-violent crimes.⁴⁸² On 30 June 2010 there were 78 young people aged 15-17 in prison for theft and handling, 40 for breaching a court order, 7 for criminal damage and 5 for disorderly behaviour.⁴⁸³

The proportion of black and minority ethnic children in Young Offender Institutes rose to 39% (from 33% in 2009-10), the number of foreign national young men increased to 6% (from 4% in 2009-10) and the number who identified themselves as Muslim is now 16% (compared with 13% in 2009-10).⁴⁸⁴

Both black and minority ethnic and Muslim young men surveyed were less positive about their relationships with staff than their white and non-Muslim counterparts. Almost a third of Muslim young men said they had been victimised by a member of staff, compared with 23% of non-Muslim young men.⁴⁸⁵

Looked after children are over-represented in the youth justice system and are more than twice as likely to be cautioned or convicted of an offence as other children of the same age.⁴⁸⁶

A recent HM Inspectorate report found that 27% of boys and 55% of girls reported that they have spent some time in care.⁴⁸⁷ It is estimated that there are around 400 children at any one time who have spent time in care.⁴⁸⁸

Young people who reported that they had been in care are more likely to report problems with drugs (40%) and alcohol (18%) and to report having mental health issues (29%).⁴⁸⁹

Half of the young people interviewed who had been in care said that they did not know who would be collecting them on the day of their release.⁴⁹⁰

480 Youth Justice Board (2011) Annual Report and Accounts 2010/11, London: Youth Justice Board

481 Youth Justice Board (2011) Annual Report and Accounts 2010/11, London: Youth Justice Board

482 Table A1.5, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

483 Table A1.6, Ibid.

484 Summerfield, A. (2011) Children and Young People in Custody 2010-11, London: HM Inspectorate of Prisons and Youth Justice Board

485 Ibid.

486 Department for Children, Schools and Families (2009) Children Looked After in England (including adoption and care leavers) year ending 31 March 2009, London: DCSF

487 Summerfield, A. (2011) Children and Young People in Custody 2010-11, London: HM Inspectorate of Prisons and Youth Justice Board

488 HM Inspectorate of Prisons (2011) The Care of Looked After Children in Custody, a short thematic review, London: HMIP

489 Ibid.

490 Ibid.

472 Hansard HC, 28 April 2009, c1263W

473 http://www.cypnow.co.uk/Youth_Justice/article/1093354/councils-stung-500m-youth-remand-bill/

474 Hansard HC, 5 September 2011, c297W

475 Hansard HC, 6 September 2011, c387W

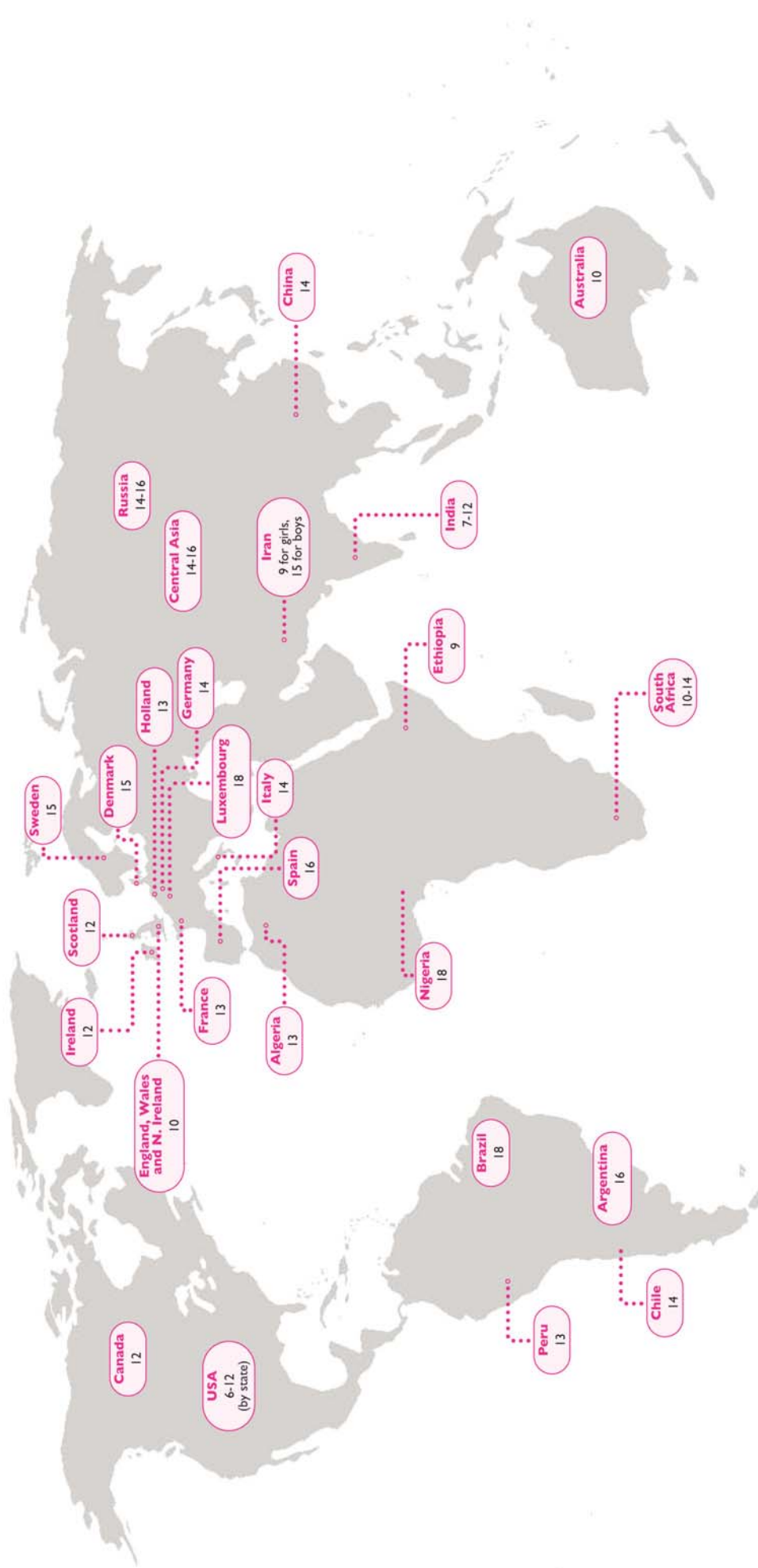
476 Hansard HC, 12 October 2009, c92W

477 Ministry of Justice (2010) Offender Management Caseload Statistics 2009, London: Ministry of Justice

478 Summerfield, A. (2011) Children and Young People in Custody 2010-11, London: HM Inspectorate of Prisons and Youth Justice Board

479 Table 18b, Ministry of Justice (2011) Proven Re-offending Statistics Quarterly Bulletin, London: Ministry of Justice

International ages of criminal responsibility



The UN Committee on the Rights of the Child has stated that an age of criminal responsibility below 12 is 'not acceptable'.

Source: Jacobson, J. and Talbot, J. (2009) Vulnerable Defendants in the Criminal Courts: a review of provision for adults and children, London: Prison Reform Trust; <http://www.scottish.parliament.uk/s3/bills/24-CrimJustLc/index.htm>; and The African Child Policy Forum available at http://www.africanchildforum.org/site/index.php?option=com_content&view=article&id=175&Itemid=97

Prison Reform Trust research has found that one in eight children in prison had experienced the death of a parent or sibling. 76% had an absent father and 33% an absent mother. 39% had been on the child protection register or had experienced neglect or abuse.⁴⁹¹

40% of children in custody in England and Wales have previously been homeless.⁴⁹²

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.⁴⁹³ One in 10 girls in custody has been paid for sex.⁴⁹⁴

The number of children assessed as vulnerable in custody was 1,148 in 2007, a rise of 12% on 2006, which rose by 12% on 2005.⁴⁹⁵

The educational background of young people in custody is poor: 86% of young men and 82% of young women surveyed said they had been excluded from school and around half said they were 14 years or younger when they were last in education.⁴⁹⁶

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.⁴⁹⁷ 38% of boys screened on admission to prison 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.⁴⁹⁸

23% of young offenders have learning difficulties (IQ below 70) and 36% borderline learning difficulties (IQ 70-80%).⁴⁹⁹ At least 60% have difficulties with speech, language and communication that adversely affect their ability to participate in certain elements of the custodial regime.⁵⁰⁰

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

492 Youth Justice Board (2007) Accommodation needs and experiences of young people who offend. London: YJB

493 Ibid.

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

495 Hansard HC, 28 March 2007, c1652W

496 Summerfield, A. (2011) Children and Young People in Custody 2010-11, London: HM Inspectorate of Prisons and Youth Justice Board

497 Youth Justice Board (2006) Barriers to engaging in education, training and employment, London: YJB

498 HM Inspectorate of Prisons (2002) A second chance: a review of education and supporting arrangements within units for juveniles managed by HM Prison Service, a thematic review carried out jointly with the Office for Standards in Education

499 Harrington, R., and Bailey, S. (2005) Mental health needs and effectiveness provision for young offenders in custody and in the community. London: YJB

500 Bryan, K., and Mackenzie, J. (2008) Meeting the speech, language and communication needs of vulnerable young children, London: RCSLT

Young People in Prison Service YOIs receive an average of 27.5 hours per person per week of education, training and personal development. In private YOIs the equivalent figure is 33.9 hours per week.⁵⁰¹

Of children interviewed in prison, 13% reported being regular crack users, and 12% regular heroin users. Poly drug use was also high.⁵⁰²

39% of girls and 34% of boys had a problem with drugs when they first arrived at their establishment. For boys this marked an increase from 22% in 2008-09.⁵⁰³

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.⁵⁰⁴

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.⁵⁰⁵

Only half of boys and 69% of girls who reported a mental health problem said that they were receiving help at their establishment.⁵⁰⁶

Prevalence of psycho-social and educational problems among a sample of 200 sentenced children.⁵⁰⁷

Factor	% cases
Associated with predominantly criminal peers	70%
Substance use viewed as positive and essential to life	26%
Difficulties with literacy and/or numeracy	26%
Evidence of self-harm	20%
Attempted suicide	11%
Has been bullied at school	10%
Has statement of special educational needs	18%

501 Hansard HC, 18 January 2010, c27W

502 Youth Justice Board (2004) Substance misuse and juvenile offenders

503 Cripps, H., (2010) HM Inspector of Prisons and Youth Justice Board, Children and Young People in Custody 2009-2010, an analysis of the experiences of 15-18-year-olds in prison, London: HM Inspectorate of Prisons

504 Chitsabesan et al (2006) Mental health needs of young offenders in custody and in the community, British Journal of Psychiatry Vol. 188, 534-540

505 Hagell, A. (2002) The mental health needs of young offenders, London: Mental Health Foundation

506 Summerfield, A. (2011) Children and Young People in Custody 2010-11, London: HM Inspectorate of Prisons and Youth Justice Board

507 Table 6.1, Jacobson, J., et al (2010) Punishing Disadvantage: a profile of children in custody, London: Prison Reform Trust

In 2009 there were 315 recorded incidents of self-harm by girls in custody, and 754 by boys in custody.⁵⁰⁸

Boys (15-17) in prison are 18 times more prone to take their own life than children of the same age in the community.⁵⁰⁹

11% of children in prison have attempted suicide.⁵¹⁰

Twenty-nine children have died in penal custody since 1990 most by self inflicted death but one following restraint.⁵¹¹

In August 2004, 14 year old Adam Rickwood became the youngest child to die in penal custody in recent memory.⁵¹²

There were 6,904 incidents of restraint in 2009-10, of which 257 (4%) resulted in injury.⁵¹³ This is a fall of 13% from 2008-09, in line with the overall reduction of the number of children held in custody.⁵¹⁴

A third of boys and 16% of girls report they have been physically restrained.⁵¹⁵ 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.⁵¹⁶

More Muslim than non-Muslim young men report that they have been physically restrained: 40% compared with 32%.⁵¹⁷

Nick Hardwick, HM Chief Inspector of Prisons, giving evidence to Lord Carlile's five year follow up review on the use of force on children in custody, stated that "HMI Prisons does not accept that pain-compliance techniques should ever be used".⁵¹⁸

For the period April 2007 to March 2009, 101 injuries were sustained by children during restraint at the privately run Medway STC.⁵¹⁹ In the last five years children in one secure training centre were restrained using handcuffs on 57 occasions.⁵²⁰

Juvenile establishments have the highest assault rates of any prisons in England and Wales.⁵²¹

Almost a third of prisoners involved in assaults classified as serious are children, despite children accounting for only 3% of the prison population.⁵²²

27% of boys and 20% of girls have felt unsafe at some point in custody. Only 75% of black and minority ethnic boys reported feeling safe on their first night, compared with 81% of white boys.⁵²³

56% of young men (a fall from 62% in 2009-10) said they would be able to tell someone if they were being victimised and just 31% (a fall from 40% in 2009-10) said that they believed a member of staff would take it seriously. 82% of young women said they would be able to tell someone, but less than half (46%) believed staff would take their reports of victimisation seriously.⁵²⁴

63% of boys said that they had a member of staff to turn to if they had a problem and that most staff treated them with respect. For girls these figures were 84% and 67% respectively.⁵²⁵

The experiences of boys in dedicated sites, holding young people (15-18) only, was broadly more positive than those in split or mixed sites. Notably, boys in dedicated sites were less likely to say that they had ever felt unsafe in their establishment. They also reported better experiences with health care and were more likely to be involved in purposeful activity.⁵²⁶

Although two-thirds of young men said they could use the telephone every day – an improvement on 2009-10 – but only 43% said it was easy for their friends and family to visit them.⁵²⁷

508 Table 3, Ministry of Justice (2010) Safety in Custody 2009, London: Ministry of Justice

509 Fazel, S., Suicide in prison, The Lancet, vol 366, issue 9493, 8 October 2005

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

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

512 Allison, E. (2011) 'Second inquest into death of youngest person to die in custody begins', The Guardian, 10 January 2011

513 Ministry of Justice (2011) Youth Justice Statistics 2009/10, London: Ministry of Justice

514 Table 5.1, Ibid.

515 Summerfield, A. (2011) Children and Young People in Custody 2010-11, London: HM Inspectorate of Prisons and Youth Justice Board

516 http://www.howardleague.org/fileadmin/howard_league/user/pdf/Press/Press_2009/YOI_audit_17_August_2009.pdf

517 Summerfield, A. (2011) Children and Young People in Custody 2010-11, London: HM Inspectorate of Prisons and Youth Justice Board

518 <http://www.independent.co.uk/news/uk/crime/restraint-used-on-young-offenders-is-too-harsh-2293213.html>

519 <http://www.howardleague.org/restraint/>

520 Hansard HC, 7 September 2010, c516W

521 Table 34, Ministry of Justice (2011) National Offender Management Service Annual Report 2010/11: Management Information Addendum, London: Ministry of Justice

522 Ministry of Justice (2010) Safety in Custody Statistics 2008/09, London: Ministry of Justice

523 Summerfield, A. (2011) Children and Young People in Custody 2010-11, London: HM Inspectorate of Prisons and Youth Justice Board

524 Ibid.

525 Ibid.

526 Ibid.

527 Ibid.

30% of boys and 47% of girls in custody reported having had no visits in the last month or never had visits. There were poorer responses from black and ethnic minority young men to all the questions on keeping in touch with family and friends. Only 49% said that they could use the telephone daily compared with 60% of white young men.⁵²⁸

Fewer black and minority ethnic than white boys said that they usually had one or more visits per week (33% compared with 41%) and they were more negative about the timeliness of visits and their visitors' treatment by staff.⁵²⁹

The majority of children return to live with their families on release. Consequently, ongoing contact with families is an essential component of effective resettlement planning. However, families attended only half of training planning review meetings and very little action was taken to try to increase their attendance.⁵³⁰

In 2009-2010, children in YOIs spent on average 15 hours each day locked in their cells.⁵³¹

Around three-quarters of boys and almost all girls surveyed said that they were taking part in education. Yet only 64% of young men felt that this education would help them on release and 60% – a fall from 64% in 2009–10 – said they planned to go into education once released.⁵³²

71% of boys surveyed said they could shower every day if they wanted to. However there was significant variation across the youth estate, ranging from 29% to 98% in the non-specialist male establishments.⁵³³

The proportion of boys who could go on association every day increased to 70% from 59% in 2009–10, and remained high for young women at 93%.⁵³⁴

According to a Prisons Inspectorate and Youth Justice Board survey 92% of boys and 93% of girls said that they wanted to stop offending. 47% of sentenced boys and 56% of girls said that they had done something or something had happened to them while they had been in custody to make them less likely to offend in the future.

528 Cripps, H., (2010) HM Inspector of Prisons and Youth Justice Board, Children and Young People in Custody 2009-2010, an analysis of the experiences of 15-18-year-olds in prison, London: HM Inspectorate of Prisons

529 Summerfield, A. (2011) Children and Young People in Custody 2010–11, London: HM Inspectorate of Prisons and Youth Justice Board

530 HM Chief Inspector of Prisons for England and Wales (2011) Annual Report 2010-11, London: HMIP

531 Hansard HC, 24 May 2011, c569W

532 Summerfield, A. (2011) Children and Young People in Custody 2010–11, London: HM Inspectorate of Prisons and Youth Justice Board

533 Ibid.

534 Ibid.

Both boys and girls felt that getting a job would be the most likely thing to stop them reoffending in the future, yet fewer than half said they knew who to contact in the establishment for help with finding employment.⁵³⁵

535 Ibid.

Young people in prison (18-20 year olds)

At the end of September 2011 there were 8,317 young people aged 18-20 in prison in England and Wales. This is 14% less than the previous year, however some of this fall is likely to be the result of statistical reporting changes, which no longer include the counting of some 21 year olds who were aged 20 or under at conviction and had not been reclassified as part of the adult population.⁵³⁶

At the end of September 2011 more young people were in prison for the offence of violence against the person than any other offence.⁵³⁷

In the 12 months to June 2011 there were 12,509 young people sent to prison under sentence.⁵³⁸

While people aged 18-24 account for one in 10 of the UK population, they account for a third of those sentenced to prison each year; a third of the probation service caseload and a third of the total economic and social costs of crime.⁵³⁹

Between 2000 and 2010 the number of young adults sentenced to life imprisonment has increased by 310%.⁵⁴⁰

58% of young people released from custody in the first quarter of 2008 reoffended within a year.⁵⁴¹ 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.'⁵⁴²

In May 2009 young people between 18 and 21 were held an average of 50 miles away from their home or committal court address.⁵⁴³ HM Chief Inspector of Prisons has commented that: 'these considerable distances from home compromises the resettlement and rehabilitation of young adults'.⁵⁴⁴

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.⁵⁴⁵

HM Prisons Inspectorate has found that too many young adult establishments have high levels of unemployment and poor quality work placements which do not provide vocational qualifications.⁵⁴⁶

An average of 3.8 hours per week is spent on physical education in young offender institutions in 2009-10.⁵⁴⁷ An average of eight hours per week is spent on other educational activities.⁵⁴⁸

Only 5% of young adults surveyed spend 10 or more hours a day out of cell in purposeful activity and just over half said they have association 5 or more times a week.⁵⁴⁹

In 2010-11, 12% of young adults surveyed by HM Inspectorate of Prisons had experienced some form of physical abuse from other prisoners.⁵⁵⁰

On average, 38% of prisoners in young adults prisoners reported feeling unsafe at some point.⁵⁵¹

65% of young adults think most staff treat them with respect (compared to 73% of over 21s).⁵⁵²

Mental health problems, drug and alcohol abuse are common amongst young people in prison. They are more likely than adults to suffer from mental health problems and are more likely to take, or try to take, their own life than both younger and older prisoners.⁵⁵³

27% of young adults reported arriving into prison with an alcohol problem and 23% believe they will leave with an alcohol problem. These figures almost certainly underestimate the scale of the problem, as many of those with alcohol problems will fail to recognise or acknowledge them.⁵⁵⁴

536 Table 1.2, Ministry of Justice (2011) Offender Management Statistics Quarterly Bulletin, April to June 2011, London: Ministry of Justice

537 Table 1.3c, Ibid.

538 Table 2.1a, Ibid.

539 Transition to Adulthood (2010) Why is the criminal justice system failing young adults? London: Transition to Adulthood

540 Table A5.14, Ministry of Justice (2011) Criminal Justice Statistics, England and Wales 2010, London: Ministry of Justice

541 Hansard HC, 17 January 2011, c653W

542 HM Chief Inspector of Prisons for England and Wales (2010) Annual Report 2008-09, London: HMIP

543 Hansard HC, 7 January 2010, c548W

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

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

546 HM Chief Inspector of Prisons for England and Wales (2010) Annual Report 2008-09, London: HMIP

547 Hansard HC, 7 December 2010, c207W

548 Hansard HC, 19 July 2007, c592W

549 HM Chief Inspector of Prisons for England and Wales (2011) Annual Report 2010-11, London: HMIP

550 Ibid.

551 Ibid.

552 Ibid.

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

554 HM Chief Inspector of Prisons for England and Wales (2011) Annual Report 2010-11, London: HMIP

A quarter of the young adult population surveyed by HM Prisons Inspectorate thought they would leave prison with a drug problem.⁵⁵⁵

Only 1 in 4 young adult prisons were assessed positively against all 4 healthy prison tests.⁵⁶⁵

37% of 16-25 year olds have a problem with alcohol and/or are regular binge-drinkers. In addition, 32% behave violently which is related to their alcohol abuse.⁵⁵⁶

Young adults account for 20% of individuals in prison who self-harm although they represent 12% of the population in custody.⁵⁵⁷

There were four self-inflicted deaths of young prisoners in 2010.⁵⁵⁸

25% of young men in young offender institutions are, or are shortly to become, fathers.⁵⁵⁹ It is estimated that four out of 10 young women in prison are mothers.⁵⁶⁰

According to the British Crime Survey, 16-24 year-olds are more likely than any other age group to become a victim of crime.⁵⁶¹

Up to 30% of young women in custody report having been sexually abused in childhood.⁵⁶²

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.⁵⁶³

“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.”⁵⁶⁴

555 HM Chief Inspector of Prisons for England and Wales (2011) Annual Report 2010-11, London: HMIP

556 Devitt, K., Knighton, L., and Lowe, K. (2009) Young Adults Today. Key data on 16-25 year-olds, transitions, disadvantage and crime, London: Young People in Focus

557 Table 4, Ministry of Justice (2011) Safety in Custody Statistics 2010, London: Ministry of Justice and Table A1.1, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

558 Table 3, Ministry of Justice (2011) Safety in Custody 2010, London: Ministry of Justice

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

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

561 Table 2.05, Chaplin, R. et al (2011) Crime in England and Wales 2010, London: Home Office

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

563 Ibid.

564 Lyon J, Dennison C, Wilson A (2000) ‘Tell Them So They Listen. Messages from young people in custody,’ Research study 201 London: Home Office

565 HM Chief Inspector of Prisons for England and Wales (2011) Annual Report 2010-11, London: HMIP

Older people in prison (aged 50 and over)

On 31 March 2011, there were 8,804 prisoners aged 50 and over in England and Wales, including 2,975 aged 60 and over. This group makes up 10% of the total prison population.⁵⁶⁶

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 128% between 2000 and 2010.⁵⁶⁷

On 31 March 2011 there were 42 people in prison aged 81 and over.⁵⁶⁸ The oldest prisoner is 92 years of age.⁵⁶⁹

More than one in 10 older prisoners belong to a minority ethnic group, far higher than the proportion of the general population.⁵⁷⁰

41% of men in prison aged over 50 have been convicted of sex offences. The next highest offence is violence against the person (25%) followed by drug offences (13%). For women, the most common offence was drug offences (29%).⁵⁷¹

On 30 June 2010 there were 925 people aged 50 and over serving life sentences and 508 serving IPP sentences.⁵⁷²

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%.⁵⁷³

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%.⁵⁷⁴

566 Prison Reform Trust, information from NOMS Equality Group, 9 November 2011

567 Table A1.10, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

568 Hansard HC, 15 July 2009, c444W

569 Hansard HC, 29 June 2011, c812W

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

571 Table A1.6, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

572 Table A1.13, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

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

574 Ibid.

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.⁵⁷⁵

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.'⁵⁷⁶

Over 90% of prison staff who responded to a survey conducted by the 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.⁵⁷⁷

Some older prisoners will have a physical health status of 10 years older than their contemporaries in the community.⁵⁷⁸

Prison Reform Trust research has found that services for older people in prison did not meet those that would be available for the elderly in the community.⁵⁷⁹

The report expresses concern that some older people entering prison had the medication they were receiving in the community stopped.⁵⁸⁰

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.⁵⁸¹

575 Ibid.

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

577 Cooney, F. with Braggins, J. (2010) Doing Time: Good practice with older people in prison – the views of prison staff, London: Prison Reform Trust. 92 responses to the survey conducted as part of this research were received – over three-quarters of eligible prisons.

578 Ibid.

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

580 Ibid.

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

HM Inspectorate of Prisons has identified ‘a complete lack of staff training in identifying the signs of mental health problems among the elderly.’⁵⁸² Few prisons had a designated nurse for older prisoners.⁵⁸³

In 2010, 84 people aged 50 and over died of natural causes whilst in prison.⁵⁸⁴

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.⁵⁸⁵

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.⁵⁸⁶

The likelihood of having accommodation on release from custody decreases the older a prisoner is. In 2010-11 the proportion of positive accommodation outcomes on release from custody were lower for those aged 50-59 (81%) and 60 and over (79%) than the average of 86%.⁵⁸⁷

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.⁵⁸⁸

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.⁵⁸⁹

Prison staff identified the availability or lack of funding and the age or design of prison buildings as the main barriers to change.⁵⁹⁰

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.’⁵⁹¹

In 2010 HM Chief Inspector of Prisons noted that not all prisons had policies that reflected the specific needs of older men and women.⁵⁹²

Age is a protected characteristic under the Equality Act. The prison service has issued PSI 32/2011 which describes the duties prison staff have under the act. This gives no guidance to staff about working with older people in their care.

The Prison Reform Trust, along with HMIP, Age UK and other organisations has called for a national strategy for work with older people in prison. NOMS and the Department of Health are assessing the possibility of a national allocations strategy for people with significant social care needs.

The Association of Directors of Adult Social Services (ADASS) appointed Phil Lloyd to lead on social care for offenders and their families in 2010.⁵⁹³

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

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

584 Table 3, Ministry of Justice (2011) *Safety in Custody 2010*, London: Ministry of Justice

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

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

587 Prison Reform Trust, information from NOMS Equality Group, 9 November 2011

588 Cooney, F. with Braggins, J. (2010) *Doing Time: Good practice with older people in prison – the views of prison staff*, London: Prison Reform Trust.

589 Ibid.

590 Ibid.

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

592 HM Chief Inspector of Prisons for England and Wales (2010) *HM Chief Inspector of Prisons for England and Wales Annual Report 2008-09*, London: The Stationery Office

593 The National Children and Adult Services Conference, October 2010

Prisoners with learning disabilities and difficulties⁵⁹⁴

20 – 30% of offenders have learning disabilities or difficulties that interfere with their ability to cope with the criminal justice system.⁵⁹⁵ 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 and a further 25% have an IQ between 70 - 79.⁵⁹⁶

23% of young offenders have very low IQs of below 70, and a further 36% have an IQ between 70 - 79.⁵⁹⁷ At least 60% have difficulties with speech, language and communication that adversely affect their ability to participate in certain elements of the custodial regime.⁵⁹⁸

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.⁵⁹⁹

Youth justice screening tools often overlook the physical health problems and underestimate the rate of mental health problems of children who offend; further, they do not assess for learning disability, for speech, language and communication needs, or for conduct disorder.⁶⁰⁰

594 Unless stated otherwise, all the figures in this section are from Talbot, J. (2008) Prisoners' Voices: Experiences of the criminal justice system by prisoners with learning disabilities and difficulties, London: Prison Reform Trust, and Talbot, J. (2007) No One Knows: Identifying and supporting prisoners with learning difficulties and learning disabilities: the views of prison staff, London: Prison Reform Trust. Research as part of the No One Knows programme was also conducted in prisons in Scotland and Northern Ireland.

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

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

597 Harrington, R., and Bailey, S. (2005) Mental health needs and effectiveness provision for young offenders in custody and in the community. London: YJB

598 Bryan, K., and Mackenzie, J. (2008) Meeting the speech, language and communication needs of vulnerable young children, London: RCLT

599 Youth Justice Board (2006) Barriers to engaging in education, training and employment, London: YJB

600 HM Government (2009) Healthy Children, Safer Communities, London: Department of Health

Most youth offending teams do not use screening or assessment tools or procedures to identify children with learning disabilities, specific learning difficulties, communication difficulties, ADHD, or autistic spectrum disorder.⁶⁰¹

Dyslexia is three to four times more common amongst prisoners than the general population.⁶⁰²

Most youth offending team staff believe that children who offend with learning disabilities, communication difficulties, mental health problems, ADHD, and low levels of literacy were more likely than children without such impairments to receive a custodial sentence.⁶⁰³

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. However the tool has still not been made routinely available. Further work needs to be undertaken, as a matter of urgency, to ensure that the support needs of people with learning disabilities, and other impairments, are recognised and met at the point of arrest.

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 and courts to have access to liaison and diversion services, 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.⁶⁰⁴

601 Talbot, J. (2010) Seen and Heard: supporting vulnerable children in the youth justice system, London: Prison Reform Trust

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

603 Ibid.

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

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

Youth offending team staff reported that children with impairments and difficulties had difficulty understanding, for example, the consequences of failing to comply with court orders and what they needed to do to successfully complete an intervention.⁶⁰⁵

Prisoners with learning disabilities or difficulties are unable to access prison information routinely; over two-thirds have problems reading prison information, which rises to four-fifths for those with learning disabilities. Over two-thirds have problems 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 problems making themselves understood in prison, which rises to more than two-thirds for those with learning disabilities. Over two-thirds experience problems in verbal comprehension skills, including difficulties understanding certain words and in expressing themselves.

Prisoners with learning disabilities are frequently 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.'⁶⁰⁶

Offending behaviour programmes are not generally accessible for offenders with an IQ below 80. There is a mismatch between the literacy demands of programmes and the skill level of offenders, which is particularly significant with regard to speaking and listening skills.⁶⁰⁷

605 Talbot, J. (2010) Seen and Heard: supporting vulnerable children in the youth justice system, London: Prison Reform Trust

606 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

607 Davies, K. et al (2004) An evaluation of the literacy demands of general offending behaviour programmes, Home Office Findings, 233, London: Home Office

A report by HM Chief Inspectors of Prison and Probation described this predicament – prisoners being unable to access the interventions they needed to secure their release as 'kafkaesque'.⁶⁰⁸

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.' Responding to evidence submitted by the Prison Reform Trust, the committee went on to say that 'this clearly breaches Article 5 ECHR (right to liberty) and Article 14 ECHR (enjoyment of ECHR rights without discrimination).'⁶⁰⁹

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.

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

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

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

Youth offending team staff often do not know what specialist service provision is available, or what benefits access to such support might bring.⁶¹⁰

Youth offending team staff would like greater input from specialist workers to assist in identifying and supporting children with impairments and difficulties and lower thresholds to access service provision, in particular for children with learning disabilities and mental health problems.⁶¹¹

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.

610 Talbot, J. (2010) Seen and Heard: supporting vulnerable children in the youth justice system, London: Prison Reform Trust

611 Ibid.

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.’⁶¹²

10% of men and 30% of women have had a previous psychiatric admission before they come into prison.⁶¹³

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.⁶¹⁴

According to Michael Spurr, then NOMS Chief Operating Officer, at any one time 10% of the prison population has ‘serious mental health problems’.⁶¹⁵

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.⁶¹⁶

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.⁶¹⁷

Women in prison are twice as likely to have an eating disorder as women in the general population.⁶¹⁸

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

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

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

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

616 All the statistics in this section are taken from Singleton et al (1998) *Psychiatric Morbidity among Prisoners in England and Wales*, London: Office for National Statistics, unless otherwise stated.

617 The Offender Health Research Network (2009) *A National Evaluation of Prison Mental Health In-Reach Services*, Manchester: University of Manchester

618 Devitt, K., Knighton, L., and Lowe, K. (2009) *Young Adults Today. Key data on 16-25 year-olds, transitions, disadvantage and crime*, London: Young People in Focus

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 deliberately harmed themselves, and 16% and 7% respectively were identified with post-traumatic stress disorder.⁶¹⁹

According to a Ministry of Justice self-report study amongst those who had been abused as a child, 28% reported having been treated/ counselled for a mental health/ emotional problem in the year prior to custody compared with 12% of those who had not experienced abuse.⁶²⁰

The same study found that more than a quarter of women reported having been treated/ counselled for a mental health/ emotional problem in the year before custody, compared with 16% of men.⁶²¹

A recent study by UCL found that 40% of child sexual exploitation victims were involved in offending behaviour. 50% of the offending group had committed their first offence by 14 and 75% by 15; and that 70% of offenders re-offended, with one quarter committing 10 or more offences.⁶²²

There is currently insufficient data to identify how many individuals are remanded in custody pending a psychiatric report, how many are assessed as having a mental health problem, and how many are so unwell that they require transferring out of custody for treatment.⁶²³

In 2009-10, just over 1,200 prisoners were transferred to National Health Service secure services. This number has remained relatively stable for the past five years.⁶²⁴

An NHS medium secure bed costs £481 per day. The majority of transfers are to medium secure care.⁶²⁵ This compares with an average cost of £112 per prisoner per day.⁶²⁶

619 Harrington, R., and Bailey, S. (2005) *Mental health needs and effectiveness provision for young offenders in custody and in the community*, London: YJB

620 Ministry of Justice (2010) *Compendium of reoffending statistics and analysis*, London: Ministry of Justice

621 Ibid.

622 Cockbain, E., and Brayley, H. (2011) *Briefing Document: CSE and Youth Offending*, Jill Dando Institute of Security and Crime Science, London: UCL

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

624 Hansard HL, 4 November 2010, cWA445

625 Ibid.

626 Hansard HC, 25 October 2010, c40W

The former HM Chief Inspector of Prisons noted in her last annual report that ‘the transfer of prisoners to NHS facilities had improved, but was sometimes still beset by delays. In one prison, for example, eight prisoners were awaiting transfer to secure NHS mental health beds. One had been waiting for 22 months. In another, rapid tranquillisation had been used six times in the previous six months for prisoners awaiting transfer.⁶²⁷

In 2010, there were a total of 26,983 incidents of self-harm in prisons, with 6,639 prisoners recorded as having injured themselves. Women accounted for 47% of all incidents of self harm despite representing just 5% of the total prison population.⁶²⁸

Many incidents reflect prolific self-harm by the same women. In 2009 an average of seven incidents were recorded for each woman harming herself compared to two incidents for each man.⁶²⁹ Holloway, with a reported 2,256 self-harm incidents, recorded over 331 incidents in its worst month – averaging over 10 a day.⁶³⁰

In 2010 there were 1,646 young people aged 20 or under who deliberately harmed themselves. This represents 25% of all individuals who self-harmed during that year.⁶³¹

26% of self-harm incidents occurred within the first month of arriving in a prison.⁶³² Prison overcrowding and the ‘churn’ of sentenced prisoners from one establishment to another exacerbates this problem.

Over 100 prisoners were resuscitated during 2007 after serious self-harm incidents.⁶³³

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.⁶³⁴

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.⁶³⁵

Black and minority ethnic groups are 40% more likely than average to access mental health services via a criminal justice system gateway.⁶³⁶

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.⁶³⁷

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.⁶³⁸

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.⁶³⁹

Prisoners with severe mental health problems are often not diverted to more appropriate secure provision. The Chief Inspector of Prisons has estimated, based on visits to local prisons, that 41% of prisoners being held in health care centres should have been in secure NHS accommodation.⁶⁴⁰ 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.⁶⁴¹

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 or most conservative extract of the rates of mental illness in the population, there should have been about 400 instances (1.9%), and on the more generous estimate 3,000 (14%).⁶⁴²

635 Ibid.

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

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

638 Hansard HC, 27 March 2007, c1454W

639 Prisons and Probation Ombudsman (2009) Annual Report 2008-2009, London: COI

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

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

642 Department of Health (2009) The Bradley Report, Lord Bradley’s report on people with mental health problems or learning disabilities in

627 HM Chief Inspector of Prisons for England and Wales (2010)

Annual Report 2008-09, London: HMIP

628 Table 1, Ministry of Justice (2011) Safety in Custody 2010 England and Wales, London: Ministry of Justice

629 Ibid.

630 HM Chief Inspector of Prisons for England and Wales (2010) Annual Report 2008-09, London: HMIP

631 Table 4, Ministry of Justice (2011) Safety in custody statistics 2010, London: Ministry of Justice

632 Table 5, Ibid.

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

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

75% of all prisoners have a dual diagnosis (mental health problems combined with alcohol or drug misuse).⁶⁴³ Yet HM Prisons Inspectorate found that dual diagnosis services remain patchy.⁶⁴⁴

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.⁶⁴⁵ Many people have a right to services under health and social care legislation.⁶⁴⁶

In a thematic review of the care and support of prisoners with mental health needs, the then 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.’⁶⁴⁷

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 and courts to have access to liaison and diversion services, 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.⁶⁴⁸

The Bradley review called 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.⁶⁴⁹

The review also called 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.⁶⁵⁰

The then 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).’⁶⁵¹

Following debate in every branch in England and Wales, delegates at the WI national conference in Liverpool in June 2008 voted overwhelmingly - 6,205 in favour and 173 against - for a resolution to call a halt to the inappropriate imprisonment of the mentally ill.⁶⁵²

Following a three year campaign led by the WI in partnership with the Prison Reform Trust, the Health Secretary Andrew Lansley and the Justice Secretary Ken Clarke announced plans to set up a national service for the diversion of the mentally ill from the justice system into treatment and care. The two cabinet ministers committed initial funding for 100 “diversion sites” across England and Wales.⁶⁵³

Prisons Minister, Crispin Blunt, has outlined that the Ministry of Justice, with the Department of Health, will invest £50 million by 2014 in establishing a liaison and diversion service, both in the police stations and in courts, to ensure that people who should more appropriately be treated in the health service do not go to prison.⁶⁵⁴

Speaking at the joint WI and Prison Reform Trust Care not Custody reception, Secretary of State for Health, Andrew Lansley said that “true justice for the vulnerable is about drawing them into treatment”.

the criminal justice system, London: Department of Health

643 The Offender Health Research Network (2009) A National Evaluation of Prison Mental Health In-Reach Services, Manchester: University of Manchester

644 HM Chief Inspector of Prisons for England and Wales (2010) Annual Report 2008-09, London: HM Inspectorate of Prisons

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

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

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

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

649 Ibid.

650 Ibid.

651 HM Chief Inspector of Prisons for England and Wales (2010) Annual Report 2008-09, London: HMIP

652 <http://www.thewi.org.uk/standard.aspx?id=14999>

653 Prison Reform Trust (2011) ‘Ken Clarke and Andrew Lansley announce plans for Care Not Custody’ taken from <http://www.prisonreformtrust.org.uk/PressPolicy/News/vw/1/ItemID/121>

654 Hansard HC, 15 February 2011, c793

Deaths in custody

Between 1 January 2000 and 31 December 2010, there were 1,885 deaths in prison custody. This includes 970 as a result of natural causes, 857 self-inflicted deaths, and 15 homicides.⁶⁵⁵

There was a slight increase in prison deaths from 2008 to 2009 (165 in 2008 and 169 in 2009), followed by a further increase to 196 in 2010.⁶⁵⁶

The number of natural cause deaths in prison has generally increased each year between 2000 and 2010. The number of deaths as a result of natural causes increased by 19% from 2008 (98) to 2010 (124).⁶⁵⁷

In 2000, there were 0.94 natural cause deaths per 1000 prisoners, this rose to 1.35 in 2004 and fell again to 1.06 in 2006. In 2009 (the last year for which all cases have been classified), this figure had risen to 1.26 natural cause deaths per 1000 prisoners. The Independent Advisory Panel on Deaths in Custody (IAPDC) has expressed its concern at these rising figures and has undertaken to look at the issue of natural cause deaths in custody in more detail.⁶⁵⁸

Between 2000 and 2009, 319 natural deaths occurred in those aged between 21-50 years which are regarded as premature deaths by the IAPDC.⁶⁵⁹

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.⁶⁶⁰

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.⁶⁶¹

655 Table 1, Ministry of Justice (2011) Safety in Custody Statistics 2010, London: Ministry of Justice

656 Independent Advisory Panel on Deaths in Custody (2011) Statistical Analysis of all recorded deaths of individuals detained in state custody between 1 January 2000 and 31 December 2010, London: IAP on Deaths in Custody

657 Ibid.

658 Ibid.

659 Ibid.

660 Prisons and Probation Ombudsman (2009) Annual Report 2008-2009, London: COI

661 Ryan-Mills, D. (2010) Review: fatal incidents reports from September 2008 to August 2009, London: Prisons and Probation Ombudsman for England and Wales

There were 58 apparent self-inflicted deaths in custody in England and Wales in 2010. This is down from 61 in 2009, and is the lowest annual figure since 1995.⁶⁶²

This figure includes the death of one woman and four young people aged 18-20.

The three-year rolling average to the end of 2009 was 71 self-inflicted deaths per 100,000 of the population. This is down from 130 per 100,000 in 2004.⁶⁶³ Safer custody programmes, improved drug detoxification and first night in custody schemes are all thought to have contributed to this reduction.⁶⁶⁴

20% of the Prison and Probation Ombudsman's investigations into self-inflicted deaths in custody between 2007-09 found evidence that the deceased was subject to bullying or intimidation by other prisoners in the three months prior to their death.⁶⁶⁵

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.⁶⁶⁶

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.⁶⁶⁷

10 self-inflicted deaths in 2010 occurred within the first seven days in prison.⁶⁶⁸

Remand prisoners, 18% of the prison population, accounted for half of all self-inflicted deaths in 2010.⁶⁶⁹

662 Table 6, Ministry of Justice (2011) Safety in Custody Statistics 2010, London: Ministry of Justice

663 Ministry of Justice (2011) Deaths in prison custody 2010 taken from <http://www.justice.gov.uk/news/press-releases/moj/press-release-020111a.htm>

664 Jacobson, J. et al (2007) There When You Need Them Most: pacts First Night in Custody Services, London: Prison Reform Trust

665 Prisons and Probation Ombudsman (2011) Learning from fatal incident investigations: Self-inflicted deaths in prison custody 2007-2009, London: Prisons and Probation Ombudsman

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

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

668 Table 7, Ministry of Justice (2011) Safety in Custody Statistics 2010, London: Ministry of Justice

669 Table 8, Ministry of Justice (2011) Safety in Custody Statistics 2010, London: Ministry of Justice

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 7 whilst in the community. Eight of the 65 had a documented history of attempted suicide in their final establishment.⁶⁷⁰

Over 100 prisoners were resuscitated during 2007 after serious self-harm incidents.⁶⁷¹

Approximately 30% of prisoners who take their own lives had no family contact prior to their deaths.⁶⁷²

According to the government's Social Exclusion Unit, more than 50 prisoners take their own lives shortly after release each year.⁶⁷³

Number of self-inflicted deaths in prisons in England and Wales, 1999 - 2010:

Year	Number	Rate of suicides per 100,000
2000	81	124
2001	73	110
2002	95	133
2003	95	128
2004	95	128
2005	78	102
2006	67	86
2007	92	114
2008	60	73
2009	61	73
2010	58	68
Total	855	

www.justice.gov.uk/news/press-releases/moj/press-release-020111a.htm

670 Ryan-Mills, D. (2010) Review: fatal incidents reports from September 2008 to August 2009, London: Prisons and Probation Ombudsman for England and Wales

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

672 NOMS, Safer Custody News, January/February 2010

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

Disability, health and wellbeing

A survey by the Ministry of Justice found that over a quarter of newly sentenced prisoners reported a long-standing physical disorder or disability. Musculoskeletal and respiratory complaints were most commonly reported.⁶⁷⁴

24% of prisoners who responded to the 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 Prisons surveys, 19% of prisoners reported having a disability.⁶⁷⁵

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.⁶⁷⁶

People with disabilities reported worse experiences than other prisoners in response to 63% of questions on Inspectorate surveys, although they were often more positive about healthcare, suggesting that disability is still seen largely as a healthcare issue.⁶⁷⁷

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.⁶⁷⁸

Following a judicial review by a disabled inmate (who had not been provided with an accessible cell or motorised wheelchair) the Prison Service accepted that both PSO 2855 (prisoners with disabilities) 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 now superseded by PSI 32/2011.

In 2010 the then HM Chief Inspector of Prisons said in her annual report, that often inspectors found that prisoners with mobility difficulties suffered considerable disadvantage because of the refusal by prison staff to push wheelchairs without training. Anne Owers added that 'it is unacceptable that this has not been resolved.'⁶⁷⁹

Despite this, the most recent Inspectorate report states 'we remained concerned that while some prisons had clearly identified schemes for assisting disabled prisoners in wheelchairs, in some cases, staff still declined to do so.'⁶⁸⁰

Fewer than one in 10 youth offending team (YOT) staff said there was somebody at their YOT who carried responsibility for children with disabilities.⁶⁸¹

Half of all those sentenced to custody are not registered with a GP prior to being sent to prison.⁶⁸²

The most recent joint report by the Inspectorate of Prisons and Care Quality Commission found that of their sample of 21 PCTs only one had a policy in place to ensure continuity of health care during transfer and release, and that the situation seems to be getting worse rather than better.⁶⁸³

83% of women in prison stated that they had long-standing 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%).⁶⁸⁴

Prior to imprisonment 85% of women were smokers, 75% had used illegal drugs and 40% drank alcohol in excess of the recommended limits.⁶⁸⁵

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.⁶⁸⁶

HM Inspectorate of Prisons also noted a paucity of health information in different languages and, of particular concern, the use of prisoners to translate for others.⁶⁸⁷

Report 2008-09, London: HMIP

680 HM Chief Inspector of Prisons for England and Wales (2011) Annual Report 2010-11, London: HMIP

681 YOT report

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

683 Care Quality Commission and HM Inspectorate of Prisons (2010) Commissioning health care in prisons, London: Care Quality Commission and HM Inspectorate of Prisons

684 Plugge, E., et al (2006) The Health of Women in Prison, Oxford: Department of Public Health

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

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

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

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

675 HM Chief Inspector of Prisons for England and Wales (2011) Annual Report 2010-11, London: HMIP

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

677 HM Chief Inspector of Prisons for England and Wales (2011) Annual Report 2010-11, London: HMIP

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

679 HM Chief Inspector of Prisons for England and Wales (2010) Annual

Across the prison estate only 40% of prisoners participate in exercise.⁶⁸⁸

40% of young men aged 15-18 years old (an increase from 31% in 2009–10) and 88% of young women surveyed said they could take daily exercise.⁶⁸⁹

79% of young men (15-18) reported visiting the gym once or more than once a week.⁶⁹⁰

The average number of hours prisoners spend exercising per week is 2.4 for adults, 3.8 for young people, and 3.9 for children.⁶⁹¹

An average of £2.20 per day was spent on food and drink per prisoner in 2010-11 financial year.⁶⁹²

Only 15% of prisoners surveyed said that on average they spend 10 or more hours out of their cell on a weekday.⁶⁹³

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.⁶⁹⁴

The majority of adult male prisons offer prisoners between seven and nine hours out of their cells. Prisoners are sometimes locked up as early as 6.30pm during the week due to the reduction in the core day. This makes it very difficult to telephone family and friends in the evenings, and the reduced core day also meant prisoners were locked up after the evening meal on weekends.⁶⁹⁵

However the Prisons Inspectorate maintain that official figures on time out of cell “often make heroic assumptions – that every prisoner is out for all the time possible; that every workshop is filled to capacity; and in some cases that none are unemployed”.⁶⁹⁶

The proportion of young men who can go on association every day had increased to 70% from 59% in 2009–10, and remains high for young women at 93%.⁶⁹⁷

In March 2010, 1,973 prison places did not have in-cell sanitation or open access to toilet facilities.⁶⁹⁸

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.⁶⁹⁹

Investment in prison healthcare in 2011-12 stood at £231.7 million, this has increased from £130 million in 2003-04.⁷⁰⁰

56% of young men and 72% young women (15-18) reported that the quality of prison healthcare was either good or very good.⁷⁰¹

For young men who had been to health care, 61% thought that the overall quality was good/very good, compared to 75% of young women, down from 65% and 82% in 2009-10.⁷⁰²

Black and minority ethnic young men reported worse access to health care services in all areas, and only 55% said they thought the overall quality of health care was good or very good, compared with 66% of white young men.

688 House of Commons Committee of Public Accounts (2006) Serving time: prisoner diet and exercise, 56th Report of Session 2005-06, London: The Stationery Office

689 Summerfield, A. (2011) Children and Young People in Custody 2010–11, London: HM Inspectorate of Prisons and Youth Justice Board

690 Figure 32, Ibid.

691 Hansard HC, 29 January 2008, c304W and Hansard HC, 7 December 2010, c207W

692 Hansard HC, 26 April 2011, c171W

693 HM Chief Inspector of Prisons for England and Wales (2011) Annual Report 2010-11, London: HMIP

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

695 HM Chief Inspector of Prisons for England and Wales (2011) Annual Report 2010-11, London: HMIP

696 HM Inspectorate of Prisons (2008) Time Out of Cell Thematic Review, London: The Stationery Office

697 Summerfield, A. (2011) Children and Young People in Custody 2010–11, London: HM Inspectorate of Prisons and Youth Justice Board

698 Hansard HC, 7 December 2010, c204W

699 Prison Reform Trust and National AIDS Trust (2005) HIV and Hepatitis in UK Prisons: Addressing Prisoners' Healthcare Needs, London: Prison Reform Trust

700 Hansard HC, 7 July 2011, c1341W

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

702 Summerfield, A. (2011) Children and Young People in Custody 2010–11, London: HM Inspectorate of Prisons and Youth Justice Board

Drugs

In 2010, 15% of men and 24% of women in prison were serving sentences for drug offences.⁷⁰³

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.⁷⁰⁴

81% of people arrested 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.⁷⁰⁵

In 20% of violent crimes reported to the 2010-11 British Crime Survey, the victim believed that the offender was under the influence of drugs. 20% of robbery victims believed their attacker to be under the influence of drugs.⁷⁰⁶

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).⁷⁰⁷

A report by the Cabinet Office Social Exclusion Task Force found that around 70% of women coming into custody require clinical detoxification and that 65% had used a drug during the year before custody.⁷⁰⁸

52% of women surveyed said that they had used heroin, crack, or cocaine powder in the four weeks prior to custody, compared to 40% of men. However, practitioners report that women may hide or underplay substance misuse through fear of losing their children.⁷⁰⁹

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.⁷¹⁰

28% of all adult and young adult men surveyed by the Inspectorate reported they had arrived at prison with a drug problem and 7% said that they had developed a drug problem in prison.⁷¹¹

The proportion arriving with a drug problem is highest in local prisons (38%). In local prisons, 9% of survey respondents said they had developed a drug problem in the prison, with a similar proportion in category C trainers and high security prisons. Nearly a third of the local and a quarter of the young adult population thought they would leave prison with a drug problem.⁷¹²

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 reception⁷¹³ and in the local women's prison, Styal, the same number of new arrivals are thought to have drug problems.⁷¹⁴

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.⁷¹⁵

Prisoners interviewed for the Surveying Prisoner Crime Reduction study who had been taken into care as a child were more likely to have used drugs in the past year (84% compared with 67% of those who were not taken into care).⁷¹⁶

Prisoners were also more likely to have taken drugs in the past year if they had experienced abuse as a child (80% compared with 67% of those who did not experience abuse) or observed violence in the home (81% compared with 64% of those who did not witness violence).⁷¹⁷

Drug use amongst prisoners in custody is reported to be high. A Home Office study found that four out of 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.⁷¹⁸

703 Table A1.5, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

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

705 UK Drug Policy Commission (2008) Reducing drug use, reducing reoffending, London: UKDPC

706 Table 7.10, Home Office (2011) Nature of Violent Crime, London: Home Office

707 UK Drug Policy Commission (2008) Reducing drug use, reducing reoffending, London: UKDPC

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

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

710 Ibid.

711 HM Chief Inspector of Prisons for England and Wales (2011) Annual Report 2010-11, London: HMIP

712 Ibid.

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

714 HM Prisons Inspectorate (2004) Report on a full unannounced inspection of HMP and YOI Styal 19-23 January 2004, London: Home Office

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

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

717 Ibid.

718 Singleton et al (2005) The impact and effectiveness of Mandatory Drugs Tests in prison, Findings 223 London: Home Office

Almost one in five (19%) of the 3,489 prisoners interviewed for the Surveying Prisoner Crime Reduction study who had ever used heroin reported first using heroin in prison. This means that between 7% and 8% of all prisoners in the sample started using heroin whilst in custody.⁷¹⁹

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.⁷²⁰

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.⁷²¹

All prisoners are subject to random mandatory drug tests (MDTs). In 2010-11 7.1% of the prison population tested positive from random mandatory drug tests compared with 9.3% in 2008-09.⁷²² But a Home Office study found that ‘mandatory drug testing results generally underestimate the level of drug misuse as reported by prisoners’.⁷²³ In addition HM Inspectorate of Prisons reported frequently seeing MDT programme staff diverted to other duties, resulting in a lack of timely target testing and abandoned tests.⁷²⁴

Research has found that arrangements for detoxification appear to vary considerably between different prisons.⁷²⁵

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.⁷²⁶

Analysis shows that drug treatment programmes in prison, especially psycho-social programmes and therapeutic communities, were associated with a 26% reduction in criminal behaviour.⁷²⁷

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

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

721 Prison Reform Trust (2008) Titan prisons: a gigantic mistake, London: Prison Reform Trust

722 Ministry of Justice (2011) National Offender Management Service Annual Report 2010/11: Management Information Addendum, London: Ministry of Justice

723 Singleton et al (2005) The impact and effectiveness of Mandatory Drugs Tests in prison, London: Home Office

724 HM Chief Inspector of Prisons for England and Wales (2011) Annual Report 2010-11, London: HMIP

725 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

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

727 National Offender Management Service (2010) What works with offenders who misuse drugs?, London: Ministry of Justice

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.⁷²⁸

In 2010-11 the Ministry of Justice allocated a total of £71.4 million for drug and alcohol treatment services in prisons and young offender institutions across England and Wales.⁷²⁹

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.⁷³⁰

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.⁷³¹

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’.⁷³²

The risk of death is strikingly acute in the first and second weeks following release from prison. Relative to the general population, male prisoners are 29 times more likely to die during the week following release, while female prisoners are 69 times more likely to die during this period. The same study found that 59% of deaths following release were drug related.⁷³³

Offenders who receive residential drug treatment are 45% less likely to reoffend after release than comparable offenders receiving prison sentences.⁷³⁴

£120.4 million has been allocated for 2011-12 for all drug treatment to adult prisoners. Investment in the prisons Integrated Drug Treatment System increased from £39.9 million in 2009-10 to £44.5 million in both 2010-11 and 2011-12.⁷³⁵

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

729 Hansard HC, 21 December 2010, c1166W

730 National Audit Office (2002) Reducing reoffending, London: National Audit Office

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

732 Ibid.

733 Farrell, M. and Marsden, J. (2005) Drug-related mortality among newly released offenders 1998 to 2000, Home Office online report 40/05, London: Home Office

734 Matrix Knowledge Group (2007) The economic case for and against prison, London: Matrix Knowledge Group

735 Hansard HC, 7 July 2011, c1341W

Alcohol

In 44% of violent crimes the victim believed the offender or offenders to be under the influence of alcohol.⁷³⁶

Nearly two-thirds of sentenced men (63%) and two-fifths of sentenced women (39%) admit to hazardous drinking which carries the risk of physical or mental harm. Of these, about half have a severe alcohol dependency.⁷³⁷

According to HM Chief Inspector of Prisons the level of alcohol use on entering custody was not properly assessed in many prisons.⁷³⁸

22% 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 (27%) 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.⁷³⁹

26% of the local and 23% of the young adult prison populations believed they would leave with an alcohol problem.⁷⁴⁰

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.⁷⁴¹

Alcohol use is accepted as a key risk factor in predicting violent reoffending.⁷⁴²

Over three quarters (78%) of prisoners interviewed for the *Surveying Prisoner Crime Reduction* study said they had drunk alcohol in the 12 months prior to custody. 22% had drunk alcohol every day in the four weeks prior to custody. However, less than one in 10 respondents (9%) said they would need a lot of help for an alcohol problem, and a further 6% said they needed a little help.⁷⁴³

736 Table 7.10, Home Office (2011) *Nature of Violent Crime*, London: Home Office

737 Prison Reform Trust (2004) *Alcohol and reoffending: who cares?* London: PRT

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

739 HM Chief Inspector of Prisons for England and Wales (2011) *Annual Report 2010-11*, London: HMIP and HM Chief Inspector of Prisons for England and Wales (2010) *Alcohol services in prisons: an unmet need*, London: HMIP

740 HM Chief Inspector of Prisons for England and Wales (2011) *Annual Report 2010-11*, London: HMIP

741 HM Chief Inspector of Prisons for England and Wales (2010) *Annual Report 2009-10*, London: HMIP

742 HM Chief Inspector of Prisons for England and Wales (2010) *Alcohol services in prisons: an unmet need*, London: HMIP

743 Ministry of Justice (2010) *Compendium of reoffending statistics*

Almost a third (32%) of the prisoners who said that they had a family member with an alcohol problem drank every day in the four weeks prior to custody. Daily-drinking prisoners (before custody) had a higher rate of reconviction, with 62% reconvicted within a year after release compared with those who drank less (49%). These prisoners were also less likely to have been employed during the same period than those who drank less frequently (24% compared with 34%).⁷⁴⁴

Of the prisons inspected in 2010-11, the Inspectorate found that 88% had drug strategies in place and 75% had either a combined or separate alcohol strategy. Just under half of the prisons inspected had no alcohol-related services or programmes available.⁷⁴⁵

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.⁷⁴⁶

Misuse of alcohol and irresponsible drinking result in economic and social costs in the region of £12-18 billion per year.⁷⁴⁷

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.⁷⁴⁸

Children who have begun binge drinking by the age of 16 are 90% more likely to have criminal convictions by the age of 30.⁷⁴⁹

The then 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.’⁷⁵⁰

and analysis, London: Ministry of Justice

744 Ibid.

745 HM Chief Inspector of Prisons for England and Wales (2011) *Annual Report 2010-11*, London: HMIP

746 Ibid.

747 Home Office (2009) *Home Office Departmental Report 2009*, London: The Stationery Office

748 Home Office, *Alcohol-related crime and disorder*, 2005

749 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

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

Housing and employment

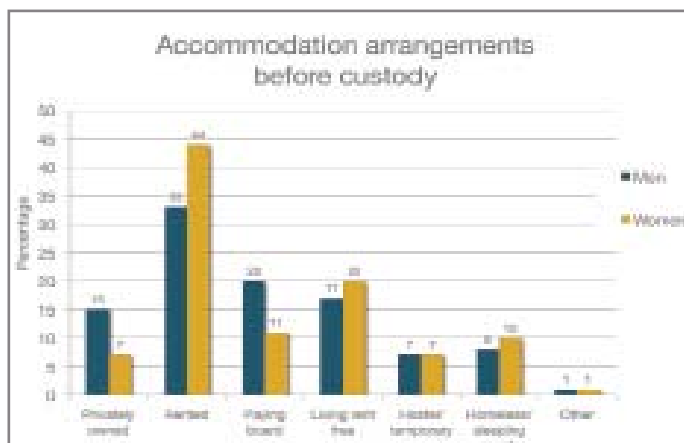
15% of men, 19% of women and 10% of young people were not in permanent accommodation before entering custody. 8% of men, 10% of women and 6% of young people were sleeping rough.⁷⁵¹

Prior to entering prison, 63% of prisoners were renting from a local authority or housing association.⁷⁵²

12% of prisoners depend on housing benefit to help with their rent before they enter custody.⁷⁵³

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.⁷⁵⁴ This is despite the fact that stable accommodation can reduce reoffending by over 20%.⁷⁵⁵



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

15% of prisoners interviewed for the *Surveying Prisoner Crime Reduction* study were homeless prior to coming into custody. Around 19% of respondents who had served a previous custodial sentence were classified as homeless, compared with 6% of those who had not been in prison before. Those offenders who had been homeless prior to custody had a higher one-year reconviction rate than offenders who had been in accommodation (79% compared with 47%).⁷⁵⁶

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

752 Ibid.

753 Ibid.

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

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

756 Ministry of Justice (2010) *Compendium of reoffending statistics and analysis*, London: Ministry of Justice

75% of 'prolific and other priority offenders' were found to have a housing need compared to 30% for the general offender population.⁷⁵⁷

People serving short prison sentences are two to three times more likely to reoffend if they do not have suitable housing.⁷⁵⁸

35% of young people aged 16-25 felt a lack of accommodation was the factor most likely to make them offend.⁷⁵⁹

In surveys by HM Inspectorate of Prisons, about a third of prisoners indicated that finding accommodation on release would be problematic. Even in open prisons, one-fifth of prisoners anticipated difficulties.⁷⁶⁰

Prisoners from Wales could rely on the guarantee of accommodation provided by the Welsh Assembly.⁷⁶¹

Fewer women than men in prison were returning to rented or owned property and more to temporary accommodation with family and friends.⁷⁶²

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.⁷⁶³

Prisoners held in large prisons are much less likely to receive help arranging accommodation than those held in small prisons.⁷⁶⁴

18% of clients in an average homelessness project are prison leavers.⁷⁶⁵

46% of homeless people surveyed across six UK cities had been in prison or young offender institution, first occurring at an average age of 21.⁷⁶⁶

757 Homeless Link (2009) *Criminal justice policy briefing*, London: Homeless Link

758 Ibid.

759 Ibid.

760 HM Chief Inspector of Prisons for England and Wales (2011) *Annual Report 2010-11*, London: HMIP

761 HM Chief Inspector of Prisons for England and Wales (2010) *Annual Report 2008-09*, London: HMIP

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

763 House of Commons Home Affairs Committee (2005) *Rehabilitation of Prisoners, First Report of Session 2004-2005*, London: The Stationery Office. More than one-third of Big Issue vendors are ex-prisoners

764 Prison Reform Trust (2008) *Titan prisons: a gigantic mistake*, London: Prison Reform Trust

765 Ibid.

766 Fitzpatrick et al. (2010) *Multiple exclusion homelessness across the UK: A quantitative survey*, London: Heriot-Watt University

The Revolving Doors Agency found that 49% of prisoners with mental health problems had no fixed address on leaving prison. Of those who had a secure tenancy before going to prison, 40% lost it on release.⁷⁶⁷

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.⁷⁶⁸

Homelessness can also prevent former prisoners from accessing support services such as benefits or registering with a GP.⁷⁶⁹

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.⁷⁷⁰

37% of people are unemployed at the time of imprisonment - nearly five times the national unemployment rate. 13% are unable to work because of long-term sickness or disability. A Ministry of Justice study found that 13% of prisoners said they had never had a paid job before custody.⁷⁷¹

51% of prisoners interviewed for the *Surveying Prisoner Crime Reduction* study had been in employment in the year before custody. 40% of offenders who were in employment in the year before prison were reconvicted within a year of leaving prison compared with 65% of those who had not been in employment.⁷⁷²

Around two-thirds of those who do have a job lose it whilst in custody.⁷⁷³

A survey by the Chartered Institute of Personnel and Development showed that people with a criminal record are part of the 'core jobless group' that more than 60% of employers deliberately exclude when recruiting.⁷⁷⁴

767 Revolving Doors Agency (2002) *Where Do They Go? Housing, Mental Health and Leaving Prison*, London: Revolving Doors

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

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

770 Niven, S. and Stewart, D. (2005) *Resettlement outcomes on release from prison*, Home Office Findings 248, London: Home Office; Home Office (2001) *Jobs and Homes - a survey of prisoners nearing release*, Findings 173, London: Home Office

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

772 Ministry of Justice (2010) *Compendium of reoffending statistics and analysis*, London: Ministry of Justice

773 Home Office (2001) *Through the Prison Gate: a joint thematic review by HM Inspectorates of Prisons and Probation*, London: The Stationery Office

774 Chartered Institute of Personnel and Development, *Labour Market Outlook*, Summer 2005

Prison Inspectorate surveys show that relatively few prisoners knew who to contact for help in finding a job. With the exception of open prisons, between 43% and 52% of prisoners believed they would have problems finding a job on release.⁷⁷⁵

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%).⁷⁷⁶

In 2010-11, 26% of prisoners entered employment on release from prison.⁷⁷⁷

58% of women and 53% of men in prison identified unemployment and lack of skills as problems contributing to their offending.⁷⁷⁸

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.⁷⁷⁹

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.⁷⁸⁰

The majority of offenders interviewed for the *Surveying Prisoner Crime Reduction* study (97%) expressed a desire to stop offending. When asked which factors would be important in stopping them from reoffending in the future, the majority gave importance primarily to 'having a job' (68%) and 'having a place to live' (60%).⁷⁸¹

On 28 November 2011 Justice Minister Lord McNally announced that the government intends to reform the Rehabilitation of Offenders Act (1974) by way of amendments to the Legal Aid, Sentencing and Punishment of Offenders Bill.⁷⁸²

775 HM Chief Inspector of Prisons for England and Wales (2011) *Annual Report 2010-11*, London: HMIP

776 Prison Reform Trust (2008) *Titan prisons: a gigantic mistake*, London: Prison Reform Trust

777 Table 24, Ministry of Justice (2011) *National Offender Management Service Annual Report 2010/11: Management Information Addendum*, London: Ministry of Justice

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

779 Stewart, D. (2005) *An evaluation of basic skills training for prisoners*, Home Office Findings 260, London: Home Office

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

781 Ministry of Justice (2010) *Compendium of reoffending statistics and analysis*, London: Ministry of Justice

782 Hansard HC, 28 November 2011, c746W

Education and skills

48% of prisoners are at, or below, the level expected of an 11 year old in reading, 65% in numeracy and 82% in writing.⁷⁸³ Nearly half those in prison have no qualifications at all.⁷⁸⁴

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.⁷⁸⁵

41% of men, 30% of women and 52% of young offenders were permanently excluded from school.⁷⁸⁶

The educational background of young people in custody is poor: 86% of young men and 82% of young women surveyed said they had been excluded from school and around half said they were 14 years or younger when they were last in education.⁷⁸⁷

63% of offenders who had been expelled or permanently excluded from school were reconvicted for an offence within a year, compared with 44% of offenders who were not.⁷⁸⁸

Just over half (53%) of prisoners interviewed for the *Surveying Prisoner Crime Reduction* study reported to have at least one qualification. 60% of those with no qualifications were reconvicted within a year of leaving prison compared with 45% of those with qualifications.⁷⁸⁹

In the 2008-09 academic year, there were 98,324 prisoners engaged in learning and skills in custody.⁷⁹⁰

In 2008-09 an average of £1,631 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.⁷⁹¹

In 2010-11, the Department for Business, Innovation and Skills plans to spend £171 million on offender learning in English public sector prisons. In addition £2.4 million is allocated for education in public sector prisons in Wales.⁷⁹²

The National Audit Office has found that only around a fifth of prisoners with serious literacy or numeracy needs enrol on a course that would help them.⁷⁹³

Research by NATFHE and the Association of College Lecturers has found that only one third of education managers regularly receive prisoners' records following transfers.⁷⁹⁴

Young People in Prison Service YOIs receive an average of 27.5 hours per person per week of education, training and personal development. This is 6.4 hours less than in private YOIs, where young people receive an average of 33.9 hours of education, training and personal development activity per week.⁷⁹⁵

Whilst the overall profile of prisons inspected by Ofstead in 2010-11 is slightly more positive than last year, none of the 24 prisons inspected received an overall outstanding judgement for the quality of teaching, and 15 (63%) were rated no better than satisfactory.⁷⁹⁶

Five young offender institutions inspected this year for their provision for 15-17-year-olds were judged good, one satisfactory and one inadequate.⁷⁹⁷

The Social Exclusion Unit found that basic skills learning can contribute to a reduction in reoffending of around 12%.⁷⁹⁸ 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.⁷⁹⁹

783 Hansard HC, 9 January 2007, c548W

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

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

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

787 Summerfield, A. (2011) *Children and Young People in Custody 2010-11*, London: HM Inspectorate of Prisons and Youth Justice Board

788 Ministry of Justice (2010) *Compendium of reoffending statistics and analysis*, London: Ministry of Justice

789 Ibid.

790 Hansard HC, 25 October 2010, c38W

791 Ibid.

792 Hansard HC, 18 January 2011, c687W

793 House of Commons Committee of Public Accounts (2008) *Meeting needs? The Offenders' Learning and Skills Service*, London: The Stationery Office

794 Braggins, J. (2002) *Shared Responsibilities: Education for prisoners at a time of change*, London: NATFHE

795 Hansard HC, 18 January 2010, c27W

796 Ofstead (2011) *The Annual Report of Her Majesty's Chief Inspector of Education, Children's Services and Skills 2010/11*, London: The Stationery Office

797 Ibid.

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

799 House of Commons Education and Skills Committee, *Prison Education, Seventh Report of Session 2004-2005*

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.⁸⁰⁰

Just 36% of people leaving prison go into education, training or employment.⁸⁰¹

While in custody, the majority of young people undertake some form of education or training. 69% of young men and 70% of young women surveyed said they thought this would help them on release. Most young people were able to gain some form of meaningful accreditation during their time in custody, and for many this was their first experience of educational achievement.⁸⁰²

Around three-quarters of young men and almost all young women surveyed said that they were taking part in education. Yet only 64% of young men felt that this education would help them on release and 60% – a fall from 64% in 2009–10 – said they planned to go into education once released.⁸⁰³

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

801 Hansard, HC, 23 March 2010, c115

802 HM Chief Inspector of Prisons for England and Wales (2011) Annual Report 2010-11, London: HMIP

803 Summerfield, A. (2011) Children and Young People in Custody 2010–11, London: HM Inspectorate of Prisons and Youth Justice Board

Financial exclusion

Assessments for 2007 suggest over 23,000 offenders had financial problems linked to their offending.⁸⁰⁴

A Cabinet Office study found that 28% of women offenders' crimes were financially motivated, compared to 20% of men.⁸⁰⁵

Between one-fifth and one-third of prisoners surveyed believed they would experience difficulties with their finances and claiming benefits after release.⁸⁰⁶

Many prisons provide money management or budgeting courses through their education department and almost half of the prisons inspected in 2010-11 gave prisoners the opportunity to open bank accounts. Disappointingly, the take up of many of these services was limited and outcomes were not rigorously assessed.⁸⁰⁷

A third of prisoners interviewed for a Prison Reform Trust and UNLOCK report said they did not have a bank account; and of these, 31% had never had one.⁸⁰⁸

48% of people in prison have a history of debt which can present problems for both prisoners and families on release.⁸⁰⁹

40% of prisoners and 64% of former prisoners felt that their debts had worsened during their sentence. Over half of families of prisoners had had to borrow money since the imprisonment of their relative.⁸¹⁰

More than half of people in prison said that they had been rejected for a bank loan and 8% said they had tried to borrow from a loan shark (a rate over 10 times higher than the average UK household).⁸¹¹

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.⁸¹²

HM Prisons Inspectorate has found that debt advice has reduced in many prisons over the year 2008-09.⁸¹³

804 Home Office (2005) The National Reducing Re-offending Delivery Plan, London: Home Office

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

806 HM Chief Inspector of Prisons for England and Wales (2011) Annual Report 2010-11, London: HMIP

807 Ibid.

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

809 National Offender Management Service (2007) Signposting Offenders to Financial Capability Training, Debt Advice and Financial Services, London: Ministry of Justice

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

811 Ibid.

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

813 HM Chief Inspector of Prisons for England and Wales (2010) Annual Report 2008-09, London: The Stationery Office

Although less than a third of prisoners were unsure, or very unsure, about managing their money, more than half were unsure, or very unsure, dealing with banks.⁸¹⁴

Only 5% of people in prison said they had been asked about how their families would cope financially while in prison.⁸¹⁵

One significant area of need for people leaving prison is insurance.⁸¹⁶ 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. Non-disclosure is illegal, and will invalidate insurance or lead to prosecution.

Over four in five former prisoners said it was harder to get insurance and four-fifths said that, when they did get insurance, they were charged more. 77% of prisoners who had stable accommodation did not have home insurance. The inability to access insurance has implications including preventing access to mortgages and many forms of employment or self-employment.⁸¹⁷

Almost two thirds of prisoners surveyed (64%) said they had claimed benefits during the 12 months before they went to prison. Those who reported having claimed benefits were more likely to be reconvicted (58% compared with 41%) than those who did not report having claimed benefits.⁸¹⁸

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.'⁸¹⁹ A recommendation to close this 'benefit gap' was made to the Prime Minister by the Social Exclusion Unit in 2002.⁸²⁰

Just 36% of people on release from prison go into education, training or employment, leaving most former offenders in need of support.⁸²¹

The government has committed to bring forward jobseeker's allowance (JSA) claims whilst people are in prison. This forms part of their plans to introduce all prison leavers claiming JSA to the new Work Programme on release from custody.

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

815 Ibid.

816 UNLOCK (2008) Unlocking Insurance, issues and evidence, Kent: UNLOCK. See also, Bath, C. (2008) Time served: unlocking insurance to help reintegrate offenders into society, The Chartered Insurance Institute: <http://www.cii.co.uk/pages/research/thinkpieces.aspx>

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

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

819 Ibid.

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

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

Prison work and volunteering

Overall there are around 24,000 work places for prisoners across the estate in workshops, catering, cleaning, land based activities and day release programmes – most entail low grade menial work.⁸²² This means that at most, under a third of the prison population is engaged in work activities at any one time.

In October 2010, Justice Secretary Ken Clarke stated that ‘we would need to ensure that, whenever possible, the hours spent in productive employment by prisoners reintroduced to the work habit were similar to those to which they would have to adapt if they obtained a job when they left prison, and that they would be able to produce goods, for instance, generating earnings that would help them to make a contribution to compensation for victims.’⁸²³

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.⁸²⁴

In March 2011 there were a total of 9,995 prisoners in employed in workshops (9,834 men and 161 women). This excludes prisoners working on licence in the community. Figures recorded in 2010 indicated that there were around 459 prisoners in Category D prisons working on licence.⁸²⁵

A one-off survey of prisoner pay was conducted in 2007 and found that the average rate of pay for activity inside prisons was £9.60 per week.⁸²⁶

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.⁸²⁷

Between 2007-08 and 2009-10 the average hours per prisoner per week spent in work have decreased from 12.6 hours to 11.8 hours.⁸²⁸

822 House of Commons Home Affairs Committee (2005) Rehabilitation of Prisoners, First Report of Session 2004-2005, London: The Stationery Office.

823 Hansard HC, 19 October 2010, c793

824 Ibid.

825 Hansard HC, 26 October 2011, c240W

826 Hansard HC, 21 November 2011, c175W

827 House of Commons Home Affairs Committee (2005) Rehabilitation of Prisoners, First Report of Session 2004-2005, London: The Stationery Office.

828 Hansard HL, 20 October cWA184

The large majority of prisons which responded to a survey undertaken by the Prison Reform Trust provide at least some opportunities for active citizenship among prisoners. 95% have race representatives, 89% have Samaritan Listeners and 72% have suicide prevention representatives.⁸²⁹

A 2004 Prison Reform Trust Report found that about one in six had a prison council.⁸³⁰ Six years later, more than half of prisons now have a council, and the number is growing each year.⁸³¹

Two examples of peer support schemes in which prisoners offer direct practical and/or emotional help to other prisoners include the Peer Advice Project of the St Giles Trust which offers training and a recognised qualification to prisoners who deliver housing advice in a number of prisons in London and the south-east of England; and the Toe by Toe reading plan run by the Shannon Trust in a large number of establishments, under which prisoners act as peer mentors to support other prisoners who are learning to read.⁸³²

The PRT survey also 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.⁸³³

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.⁸³⁴

There were 85,000 Listeners contacts during 2009.⁸³⁵

There is considerable scope to develop more opportunities for volunteering, peer support, representation and prisoner councils.⁸³⁶

829 Table 2.1, Edgar, K. et al (2011) Time Well Spent: A practical guide to active citizenship and volunteering in prison, London: Prison Reform Trust

830 Solomon, E., and Edgar, K. (2004) Having Their Say: The Work of Prisoner Councils, London: Prison Reform Trust

831 Edgar, K. et al (2011) Time Well Spent: A practical guide to active citizenship and volunteering in prison, London: Prison Reform Trust

832 Ibid.

833 Ibid.

834 NOMS, Safer Custody News, September/October 2009

835 Samaritans (2010) Information resource pack 2010, London: Samaritans

836 Edgar, K. et al (2011) Time Well Spent: A practical guide to active citizenship and volunteering in prison, London: Prison Reform Trust

Ministry of Justice compliance, Prison Service performance and staffing

In March 2004 in a case brought by life sentenced prisoner, John Hirst, the European Court of Human Rights ruled that the ban on sentenced prisoners voting violated Article Three of the European Convention on Human Rights. The Prison Reform Trust lodged several formal complaints with the Council of Europe about the UK Government's non-compliance with this 2004 ruling.⁸³⁷

The European Court of Human Rights rejected an attempt to overturn an earlier ruling that prisoners should get the vote. The Court gave the UK government until 11 October 2011 to introduce legislative proposals to bring the law in line with the European Convention. However, the Court has since granted a request from the UK government to extend their implementation deadline to 6 months after the delivery of the Grand Chamber judgment in the case of Scoppola No. 3 v. Italy.⁸³⁸

Through its reports, 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 establishments to carry out their duties under the Disability Discrimination Act (2005).⁸³⁹

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 (prisoners with disabilities) and PSO 0900 (categorisation and allocation) will be amended to comply with the requirements of the DDA. A new guidance has been issued (PSI 31/2008: Allocation of prisoners with disabilities), followed by PSI 32/2011: Equalities Act.

Prisoners with learning disabilities and difficulties are discriminated against personally, systemically and routinely as they enter and travel through the criminal justice system.⁸⁴⁰ Criminal justice staff and those responsible for providing services are failing in their duty to promote equality of opportunity and to eliminate discrimination. As such they are not complying with the requirements of the Disability Discrimination Act and the Disability Equality Duty in particular.

On 1 September 2011 the Corporate Manslaughter and Corporate Homicide Act was extended to include prisoners held in custody. The Act sets out a new offence for convicting an organisation where a gross failure in the way activities were managed or organised results in a person's death.

On 28 November 2011 Justice Minister Lord McNally announced that the government intends to reform the Rehabilitation of Offenders Act (1974) by way of amendments to the Legal Aid, Sentencing and Punishment of Offenders Bill.⁸⁴¹

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.⁸⁴²

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.⁸⁴³

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.⁸⁴⁴

840 Loucks, N. (2007) No One Knows: Offenders with Learning Difficulties and Learning Disabilities. Review of prevalence and associated needs, London: Prison Reform Trust, and Jacobson, J. (2008) No One Knows: Police responses to suspects with learning disabilities and learning difficulties: a review of policy and practice, London: Prison Reform Trust

841 Hansard HC, 28 November 2011, c746W

842 Ministry of Justice (2008) Race Review 2008, implementing race equality in prisons – five years on, London: National Offender Management Service

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

844 Ibid.

837 <http://www.prisonreformtrust.org.uk/subsection.asp?id=839>

838 European Court of Human Rights (2011) Prisoners' right to vote factsheet, Strasbourg: European Court of Human Rights

839 Ibid

The Prisons and Probation Ombudsman has found that in the 92 cases of deaths from natural causes of prisoners in outside hospitals, restraints were used during final inpatient stays on 29 out of 52 occasions.⁸⁴⁵

In 2010 there were 11,252 recorded prisoner on prisoner assaults, a rise of 41% since 2001, and 2,376 recorded prisoner on officer assaults.⁸⁴⁶

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.⁸⁴⁷

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. Then Justice minister Maria Eagle added that ‘these figures understate the actual number of finds’.⁸⁴⁸

In 2010-11 there were two escapes from prison, the lowest total ever recorded. The level of absconds from open prisons has reduced from 1,310 in 2003-04 to 240 in 2010-11.⁸⁴⁹

The Prison Service is faced with high sickness levels amongst prison officers. The average number of working days lost due to staff sickness in 2010-11 was 9.8.⁸⁵⁰

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.⁸⁵¹

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%.⁸⁵²

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.⁸⁵³

The average tenure of a prison governor (governing governor, deputy governor, head of residence) employed by NOMS is 8 years.⁸⁵⁴

The average tenure for governing governors in an establishment is 2.4 years.⁸⁵⁵

In 2009 the average tenure for operational managers in an establishment is 5.8 years.⁸⁵⁶

In 2010-11 the number of minority ethnic staff in the Prison Service overall was 6.6%.⁸⁵⁷

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.⁸⁵⁸

845 Ryan-Mills, D. (2010) Review: fatal incidents reports from September 2008 to August 2009, London: Prisons and Probation Ombudsman for England and Wales

846 Table 8 (Assaults), Ministry of Justice (2011) Safety in Custody Statistics 2010, London: Ministry of Justice

847 Prison Reform Trust (2008) Titan prisons: a gigantic mistake, London: Prison Reform Trust

848 Hansard HC, 5 March 2010, c1484W

849 Ministry of Justice (2011) National Offender Management Service Annual Report 2010/11: Management Information Addendum, London: Ministry of Justice

850 Ibid.

851 Hansard HC, 23 February 2010 c501W

852 Hansard HC, 27 October 2009 c336W

853 Hansard HC, 31 January 2003 c1091W

854 Hansard HC, 7 December 2010, c201W

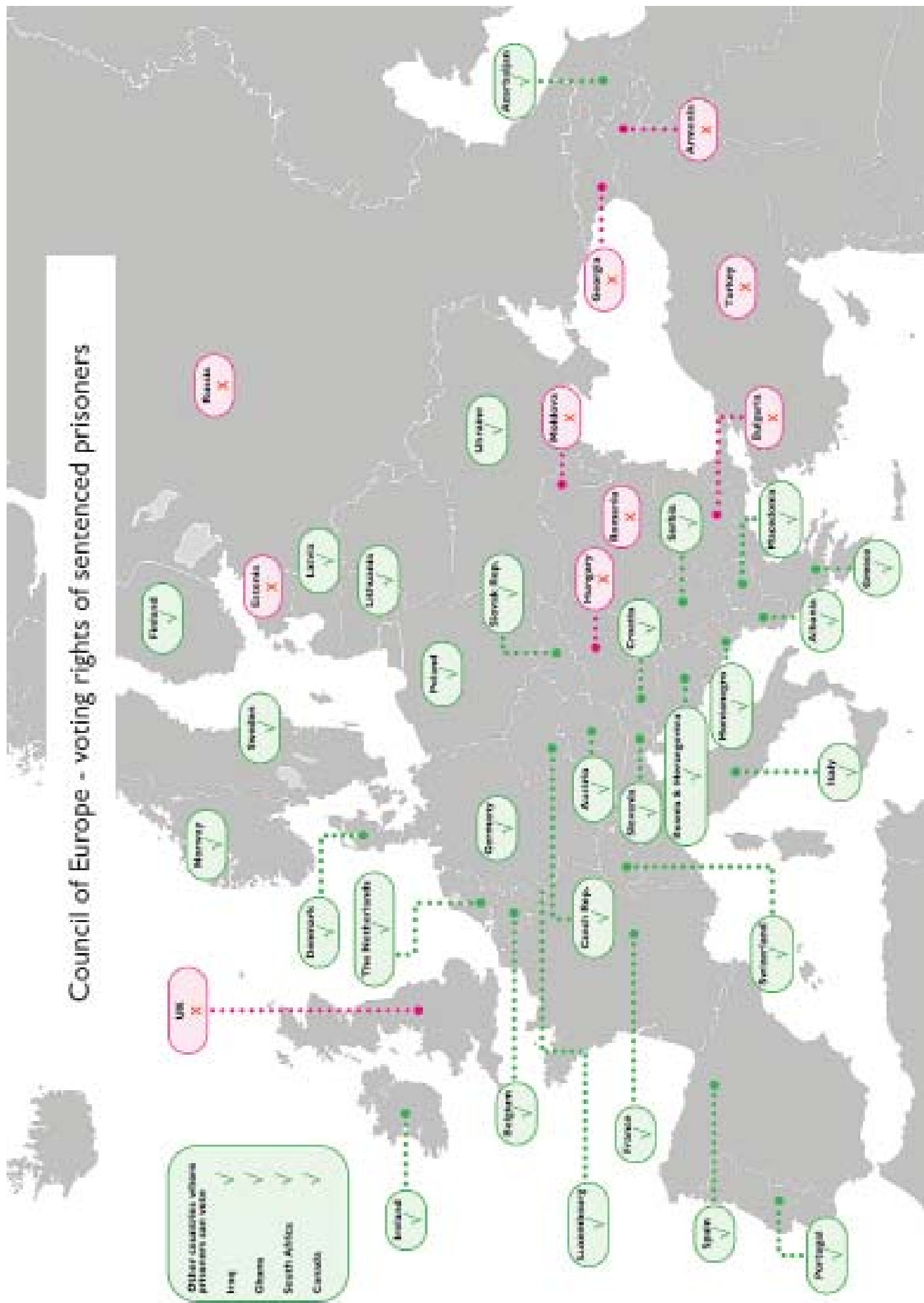
855 Hansard HC, 2 November 2009 c746W

856 Hansard HC, 23 February 2010, c509W

857 Ministry of Justice (2011) National Offender Management Service Annual Report 2010/11: Management Information Addendum, London: Ministry of Justice

858 Prison Reform Trust (2006) Briefing: Experiences of Minority Ethnic Employees in Prisons, London: Prison Reform Trust

Council of Europe - voting rights of sentenced prisoners



This chart is drawn from available international government sources and is subject to amendment.

Private prisons⁸⁵⁹

The UK has the most privatised prison systems in Europe. In England and Wales nearly 10,000 prisoners (13.1 % of the prisoner population) are held in private prisons.⁸⁶⁰ This is a higher proportion than in the US, where the figure is around 9%.

The recent privatisation of HMP Birmingham and the new private Featherstone 2 (due to open April 2012) take the total number of private prisons in England and Wales from 11 to 13.

Private prison contracts are shared between just three companies: Serco operates, Ashfield, Dovegate, Lowdham Grange and Doncaster; G4S operates Altcourse, Birmingham, Featherstone 2 (due to open April 2012), Parc, Rye Hill, and The Wolds; Kalyx operates Bronzefield, Forest Bank, and Peterborough.

Wolds and Doncaster are let on 10 year management-only contracts; nine are financed, designed, built and operated by the private sector on 25 year contracts. Both HMP Birmingham and Featherstone 2 contracts are for 15 years each, with an estimated total value of around £750 million for the life of the contracts.⁸⁶¹

A Serco led consortium, partnering with voluntary sector organisations Turning Point and Catch22, was selected as the preferred bidder to provide and operate two new prisons at Belmarsh West and Maghull in Liverpool, with a combined value to the company of around £600 million over 26 ½ year contracts.⁸⁶² The contract for the Belmarsh West prison was signed on 30 June 2010 and construction is underway. The estimated construction cost is £97 million.⁸⁶³

Private prisons have held a higher percentage of their prisoners in overcrowded accommodation than public sector prisons every year for the past thirteen years. In 2010-11 the private prisons average was 31.8%, compared to an average of 22.8% in the public sector. Forest Bank, Doncaster and Altcourse have particularly high rates of overcrowding, with 48.9%, 61.7%, and 72.9% of prisoners held in overcrowded accommodation respectively.⁸⁶⁴

⁸⁵⁹ For more information on the performance of private prisons, the companies and their profits see Prison Reform Trust (2005) Private Punishment: Who Profits?, London: Prison Reform Trust

⁸⁶⁰ Ministry of Justice (2011) Prison Population Monthly Bulletin November 2011, London: Ministry of Justice

⁸⁶¹ G4S website at <http://www.g4s.com/en/Media%20Centre/News/2011/03/31/HMP%20Birmingham%20and%20Featherstone%202/>

⁸⁶² Serco, (2010) Stock exchange announcement, 26 February 2010

⁸⁶³ Hansard HC, 8 September 2010, c584W

⁸⁶⁴ Ministry of Justice (2011) National Offender Management Service Annual Report 2010/11: Performance ratings digest 2010/11, London: Ministry of Justice

In 2010-11 a total of £328.1 million was paid to privately managed prisons.⁸⁶⁵

The government has estimated that the privatisation of HMP Birmingham, HMP Buckley Hall, and HMP Featherstone 2 will lead to savings of £40.7 million over the remaining years of the comprehensive spending review period (2011-2015).⁸⁶⁶

The government has forecast costs of the competitive tendering process of HMP Birmingham, HMP Buckley Hall, HMP Doncaster, HMP Featherstone 2 and HMP Wellingborough will reach £5.84 million.⁸⁶⁷

According to a parliamentary written answer,⁸⁶⁸ the costs of private prisons per place are higher than public sector prisons in most categories:

Function	Contracted sector cost per place £s	Public sector cost per place £s
Male category B	26,813	25,881
Male category C	20,855	21,976
Female closed	44,400	34,617
Male juvenile	48,669	42,143
Male local	33,805	31,912

The ratio of prisoners to prison officers in all public sector prisons in England and Wales on 31 March 2010 is one officer to 3.03 prisoners. In private prisons the ratio is one officer to 3.78 prisoners.⁸⁶⁹

A recent parliamentary question highlighted that the average gross salary for a private sector prison officer was 30% less than public sector equivalents.⁸⁷⁰

An average of 40% of private sector staff have over five years' service.⁸⁷¹ 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 large variations between establishments.⁸⁷²

⁸⁶⁵ Hansard HC, 12 October 2011, c413

⁸⁶⁶ Hansard HC, 17 October 2011, c668W

⁸⁶⁷ Hansard HC, 17 October 2011, c669W

⁸⁶⁸ Hansard HC, 9 January 2007, c546W

⁸⁶⁹ Hansard HC, 15 September 2010, c1037W

⁸⁷⁰ Hansard HC, 9 November 2011, c393W

⁸⁷¹ Hansard HC, 1 March 2007, c1510W

⁸⁷² Prison Service Pay Review Body, Sixth Report on England and Wales, March 2007

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.⁸⁷³

There is the opportunity for the ratings to be considered for moderation. A moderation proposal is submitted by prisons and is a request to adjust the data-driven performance rating on the basis of additional non data-driven evidence. Establishments for which a moderation proposal was considered are marked with an asterisk.

Healthy prison and establishment assessments by HM Inspectorate of Prisons between 1 September 2008 and 31 March 2011:⁸⁷⁴

Prison	Safety	Respect	Purposeful activity	Resettlement
Parc	3	4	4	4
Ashfield	4	3	4	4
Altcourse	4	3	4	2
Forest Bank	2	3	3	4
Bronzefield	3	2	3	3
Lowdham Grange	3	3	3	2
Dovegate TC	3	3	3	2
Peterborough (m)	3	2	3	3
Dovegate (B)	3	3	3	2
Peterborough (f)	3	2	3	2

4 - exceptional performance
 3 - good performance
 2 - requiring development

Private prisons' performance in 2010-11 according to the most recent Prison Service performance ratings was as follows:⁸⁷⁵

Prison	2010-11	Previously
Altcourse	3	3
Ashfield	3	3
Bronzefield	3	3
Doncaster	3	3
Dovegate	3	3
Forest Bank*	2	3
Lowdham Grange	4	4
Parc	3	3
Peterborough	3	2
Rye Hill	3	3
Wolds	3	2

Overall performance is graded into one of four bands. These bands are: Exceptional Performance (4); Meeting Majority of Targets (3); Overall Performance is of concern (2); and, Overall Performance is of serious concern (1).

873 National Audit Office (2003) The Operational Performance of PFI Prisons, London: Stationery Office
 874 HM Chief Inspector of Prisons (2011) Annual report 2010-2011, London: HMIP and HM Chief Inspector of Prisons (2010) Annual report 2008-2009, London: HMIP
 875 Ministry of Justice (2011) Prison annual performance ratings 2010/11, London: Ministry of Justice

Long term trends and future prison building

Estimates of future prison numbers vary widely. By the end of June 2017 the demand for prison spaces is projected to be between 83,100 and 94,800.⁸⁷⁶

The Labour government was committed to building new prisons to increase the net capacity of the prison estate to 96,000 by 2014.⁸⁷⁷

However the government have since stated that there are no current plans to build further new prisons in England and Wales, with the exception of those already underway.⁸⁷⁸

Two new prisons will open in 2012, HMP Thameside (Belmarsh West) and Featherstone 2. The opening capacity of the prisons will be 900 and 1,605 places respectively.⁸⁷⁹ HMP Thameside will open on 30th March 2012⁸⁸⁰

The government plans to reduce the prison population by 2,600 places by the end of the current spending review period through a new approach to sentencing and rehabilitation, which it is currently taking through Parliament with its Legal Aid, Sentencing and Punishment of Offenders Bill.⁸⁸¹

Proposals include the use of community penalties where they are more effective than short prison sentences; using restorative justice; and paying private and voluntary providers by results for delivering reductions in reoffending.

The government is taking forward proposals to invest £50 million by 2014 in liaison and diversion services at police stations and courts across England wherever possible to divert offenders with mental health needs and learning disabilities away from the justice system and into treatment and care.⁸⁸²

Following the 2010 spending review the Ministry of Justice has to make overall resource savings of 23% in real terms by 2014-15.⁸⁸³

On 13 January 2011 the Secretary of State for Justice, Ken Clarke, announced the closure of HMP Lancaster Castle and HMP Ashwell prisons and the change of use of HMP Morton Hall to an Immigration Removal Centre. Talking about the closures Ken Clarke has said that 'closing outdated and expensive prisons is an important step in our strategy to provide a secure and modern, fit for purpose prison estate.'

Capital savings of 50% will be made over the spending review period. The settlement provides sufficient capital funding to maintain the existing prison estate and to fund essential new build projects. Plans for a 1,500 place new-for-old prison will be deferred to the next spending review period, and spending on new IT and court projects will be limited to essential capacity.⁸⁸⁴

876 Table 1, Ministry of Justice (2011) Prison Population Projections 2011-2017, London: Ministry of Justice

877 Ministry of Justice (2009) Capacity and Competition Policy for Prisons and Probation, London: Ministry of Justice

878 Hansard HC, 15 October 2011, c782W

879 Hansard HC, 19 January 2011, c811W

880 <http://www.hmpthameside.org/recruitment.php>

881 Ministry of Justice (2011) Sentencing and Criminal Justice Components of the Legal Aid, Sentencing and Punishment of Offenders Bill, Impact Assessment MoJ 119, London: Ministry of Justice

882 Hansard HC, 15 February 2011, c793

883 HM Treasury (2010) Spending Review 2010, London: HM Treasury

884 HM Treasury (2010) Spending Review 2010, London: HM Treasury

Community solutions

Court ordered community sentences are more effective (by eight percentage points) at reducing one-year proven reoffending rates than custodial sentences of less than 12 months for similar offenders.⁸⁸⁵

In 2010-11, 67,611 people successfully completed community payback sentences 75% of those sentenced. This amounts to over 8.4 million hours of unpaid work, which was used to benefit the community.⁸⁸⁶

The government has initiated a pilot programme at Peterborough prison to reduce reoffending.

A social investment firm Social Finance is using a new funding arrangement known as 'social impact bonds' to finance the programme. Under the programme, investors will see a return on their investment against a 7.5% reduction in reoffending among participants. Some of the services are being delivered by St Giles Trust.

The government is committed to introducing payment by results as part of a new approach to offender rehabilitation. Providers will be commissioned to work with offenders to reduce reoffending, paid for by the subsequent savings generated in the criminal justice system.⁸⁸⁷

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.⁸⁸⁸

The average length of a Community Order is 12.7 months, and 17.1 months for a Suspended Sentence Order. 85% of Community Orders, and 79% of Suspended Sentence Orders consist of one or two requirements. The two most frequently used on a Community Order are unpaid work (33%) and supervision (11%), and unpaid work (22%) and supervision and unpaid work (11%) for a Suspended Sentence Order.⁸⁸⁹

In 2010 a higher proportion of women than men completed their community sentence successfully or had their sentences terminated for good progress on both community orders (69%) and suspended sentence orders (74%) versus 65% on both orders for men.⁸⁹⁰

A 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.⁸⁹¹

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.⁸⁹²

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.⁸⁹³

885 Table 1, Ministry of Justice (2011) 2011 Compendium of reoffending statistics and analysis, London: Ministry of Justice
886 Ministry of Justice (2011) National Offender Management Service Annual Report 2010/11: Management Information Addendum, London: Ministry of Justice

887 Hansard HC, 28 October 2010, c487W

888 Ibid.

889 Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

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

891 Solomon, E. and Rutherford, M. (2007) Community Sentences Digest, London: Centre for Crime and Justice Studies.

892 Seymour, L. and Rutherford, M. (2008) The Community Order and the Mental Health Treatment Requirement, London: Sainsbury Centre for Mental Health

893 Home Office Press Release, 20 February 2007

Restorative justice⁸⁹⁴

Delivering a recent lecture on restorative justice, Crispin Blunt, Parliamentary Under-Secretary of State for Justice said “It is our ambition that all prisons and probation trusts will develop capability to deliver Restorative Justice to victims and offenders in appropriate circumstances based upon best practice principles.”⁸⁹⁵

The Government funded a £7 million seven year research programme looking into restorative justice. Published in 2007 findings were encouraging.

Victim participation rates were high, with up to 77% victim participation in cases involving adult offenders, and up to 89% victim participation in cases involving young offenders. Offender participation rates were similarly high. All the projects devoted significant time and resources to good preparation with both victims and offenders.⁸⁹⁶

85% of victims surveyed as part of the research were either ‘very’ or ‘quite’ satisfied with their experience of the restorative conference (80% of offenders in the Justice Research Consortium’s (JRC) conferences were ‘very’ or ‘quite’ satisfied).⁸⁹⁷

98% of conferences ended with the participants reaching an outcome agreement, which was usually focused on what the offender would do next to repair the harm, address their problems and reorientate their life away from crime.⁸⁹⁸

Although victims tended to opt for a restorative meeting with an intermediary when this was offered, indirect processes tended to lead to lower levels of victim satisfaction than face-to-face meetings.⁸⁹⁹

27% fewer crimes were committed by offenders who had experienced restorative conferencing, compared with those offenders who did not.⁹⁰⁰

894 All figures taken from Ministry of Justice commissioned independent evaluation reports by Professor Joanna Shapland unless otherwise stated.

895 Crispin Blunt MP, Considering Restorative Justice Lecture, 24 November 2011

896 Shapland, J et al (2006) Restorative justice in practice – findings from the second phase of the evaluation of three schemes, London: Ministry of Justice

897 Shapland, J et al (2007) Restorative Justice: the views of victims. The third report from the evaluation of three schemes. Ministry of Justice Research Series 3/07. London: Ministry of Justice

898 Ibid.

899 Ibid.

900 Restorative Justice Council (2011) What does the Ministry of Justice RJ research tell us? London: RJC, available at http://www.restorativejustice.org.uk/resource/ministry_of_justice_evaluation_of_restorative_justice/

Restorative justice approaches are cost effective. As a result of reductions in the frequency of offending the JRC restorative justice projects saved the criminal justice system nine times what it cost to deliver.⁹⁰¹

Another evaluation of restorative justice found that young girls involved in a final warning restorative scheme were significantly less likely to reoffend than the control group (118 fewer arrests per 100 offenders compared to 47 fewer for the control group).⁹⁰²

Northern Ireland’s well established Youth Conference Service has a significant proportion of victims taking part in conferences, with 89% expressing satisfaction with the outcome. In addition, court ordered youth conferences have a reoffending rate of 47.4%, significantly lower than that of the supervision order used in England and Wales (71%).⁹⁰³

In an ICM survey commissioned by the Prison Reform Trust conducted one month after the riots in August 2011, nearly nine out of 10 people (88%) agreed that victims of theft and vandalism should be given the opportunity to inform offenders of the harm and distress they have caused. Almost three quarters (71%) believe that victims should have a say in how the offender can best make amends for the harm they have caused.⁹⁰⁴

The government has made a commitment to provide funding to youth offending teams (YOTs) for training staff and volunteers involved in Youth Referral Order panels in restorative practices with the aim of bringing practice up to the level of Youth Conferencing in Northern Ireland. Funding for training and capacity building in NOMS, for pre- and post-sentence restorative justice with adult offenders, has also been announced.⁹⁰⁵

901 Ibid.

902 Sherman, L. and Strang, H (2007) Restorative Justice: the evidence, London: The Smith Institute

903 Jacobson, J. and Gibbs, P. (2009) Making Amends: restorative youth justice in Northern Ireland, London: Prison Reform Trust

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

905 Crispin Blunt MP, Considering Restorative Justice Lecture, 24 November 2011

Public perceptions of crime

Total spending for public order and safety by the government was £33.6 billion in 2010-11.⁹⁰⁶

There are 139,110 full-time equivalent police officers in the 43 police forces of England and Wales. This is a decrease of 3.2 per cent or 4,625 officers compared to a year earlier, but still significantly higher than 125,051 in 1997.⁹⁰⁷

Since 1997 British Crime Survey crime rates have fallen by 42%. However in the past year there has been no statistically significant change in the numbers of crime estimated from the 2010-11 survey (9.6 million offences) compared to the previous year (9.5 million offences), consistent with a flattening trend in crime.⁹⁰⁸

However when asked what they thought had happened to the level of crime nationally over the past year, only 4% believed it had gone down.

83% of people think violent crime is rising. However, the proportion of people who are 'very worried about' violent crime has fallen from 25% in 1998 to 13% in 2010-11.⁹⁰⁹

In 2009-10 and 2010-11, 10% of adults were worried about burglary and car crime and 13% of adults were worried about violent crime. These proportions are the lowest recorded since the questions were introduced in the 1990s.⁹¹⁰

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.⁹¹¹

In November 2011 23% of interviewees thought crime and law and order were the most important issues facing Britain today.⁹¹²

906 Table 4.2, HM Treasury (2011) Public Expenditure Statistical Analyses 2010, London: HM Treasury

907 Table A, Home Office (2011) Police Service Strength England and Wales, 31 March 2011, London: Home Office and Table 1, Allen, G. (2001), Police Service Strength, Research Paper 01/28, London: House of Commons Library

908 Table 2.01, Home Office (2010) Crime in England and Wales 2009/10, London: Home Office

909 Ibid. and Table 5.03, Home Office (2011) Crime in England and Wales 2010/11, London: Home Office

910 Home Office (2011) Crime in England and Wales 2010/11, London: Home Office

911 Ipsos MORI (2006) International Social Trends Monitor, London: Ipsos MORI

912 Ipsos MORI (2011) Economist/Ipsos MORI November Issues Index, London: Ipsos MORI

A recent survey found that "while the public may 'talk tough' in response to opinion polls which ask whether sentencing is harsh enough, when considering specific criminal cases and individual circumstances, there is considerable support for mitigating punishments".⁹¹³

In a survey on behalf of the Prison Reform Trust conducted one month after the riots in August 2011 a huge majority of the public (94%) support opportunities for offenders who have committed offences such as theft or vandalism to do unpaid work in the community, as part of their sentence, to pay back for what they have done.⁹¹⁴

Nearly nine out of 10 people (88%) agree that victims of theft and vandalism should be given the opportunity to inform offenders of the harm and distress they have caused.⁹¹⁵

Almost three quarters (71%) believe victims should have a say in how the offender can best make amends for the harm they have caused.⁹¹⁶

Offered a range of measures to prevent crime and disorder, most people (84%) consider that better supervision of young people by parents would be effective.⁹¹⁷

There was widespread support for 'better mental health care' (80%); 'making amends to victims' (79%); 'unpaid community work' (76%); and 'treatment to tackle drug addiction (74%)'. Less than two-thirds (65%) consider that a prison sentence would be effective in preventing crime and disorder.⁹¹⁸

62% of those who think crime is rising say it is because of what they see on television, and 35% because of what they read in tabloid newspapers.⁹¹⁹

45% of crimes reported in newspapers in the UK involve sex or violence, compared with only 3% of actual reported crime.⁹²⁰

913 Roberts, J. and Hough, M. (2011) Custody or community? Exploring the boundaries of public punitiveness in England and Wales, *Criminology & Criminal Justice* 11(2) pp181-197, Norwich: Page Bros

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

915 Ibid.

916 Ibid.

917 Ibid.

918 Ibid.

919 Table 3.01, Home Office (2011) Crime in England and Wales 2010/11, London: Home Office

920 Duffy, B., Wake, R., Burrows, T., and Bremner, P., (2007) Closing the Gaps, Crime and Public Perceptions, London: Ipsos MORI

The British Crime Survey 2009-10 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. 13% of respondents thought that they were very likely or fairly likely to be a victim of violent crime in the next 12 months, compared with 3% who reported having been a victim of such a crime in the year before interview.⁹²¹

People have more positive perceptions of crime locally than nationally; 60% thought crime in the country as a whole was rising, compared with 28% who thought crime in their local area had increased.⁹²²

Young people are more likely than those over 65 to say that there has been an increase in crime in their local area.⁹²³ 16-24 year olds are also the most likely age group to be victims of crime.⁹²⁴

In a recent poll 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.⁹²⁵

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.⁹²⁶

A recent ICM poll showed that 80% of those surveyed strongly agreed that local women's centres where women address the root causes of their crime and do compulsory work in the community to payback should be available.⁹²⁷

According to a poll commissioned by the Prison Reform Trust's Out of Trouble campaign published in September 2010, nearly two-thirds of the public do not want to see children in prison until at least the age of 12, rising to 14 for young people convicted of a non-violent crime.⁹²⁸

Better supervision by parents, treatment to tackle drug addiction, treatment to tackle binge drinking and better mental health care are all rated much more effective than a prison sentence at preventing young offenders from returning to crime.⁹²⁹

921 Tables 2.03 and 5.02, Home Office (2011) Crime in England and Wales 2010/11, London: Home Office

922 Figure 5.01, Ibid.

923 Table 5.01, Home Office (2010) Crime in England and Wales 2009/10, London: Home Office

924 Table 2.05, Ibid

925 Gottschalk, E. (2009) Public perceptions of organized crime - results from an opinion poll, London: Home Office

926 SmartJustice (2006) Briefing: Crime victims say jail doesn't work, <http://www.smartjustice.org/pr16jan06.html>

927 ICM opinion poll for the Corston Coalition, 26-28 November 2010. Sample of 1000 adults 18+ in GB, by telephone omnibus

928 PRT (2010) YouGov poll

929 Ibid.

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