



Bromley Briefings Prison Factfile

June 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

With a justice bill before Parliament following a thorough green paper consultation by the Ministry of Justice, reform of our justice system is at the centre of debate.

The bill presents the opportunity to get to grips with a distorted, often ineffective, system which places too much store on what imprisonment can achieve. But new clauses and more mandatory sentences, not subject to consultation, and a harsher tone could destabilise a carefully crafted bill by further inflating prison numbers. The big risk is in bashing an already beleaguered prison service for failing to cut crime whilst expecting it to do even more with even less.

Announcing the introduction of the Legal Aid, Sentencing and Punishment of Offenders Bill, the Prime Minister stated that: “We have got to stop this massive acceleration in prisoner numbers. But the right way to do that is to reform prison and make it work better.”

Improving prison performance represents an important but partial solution to a pressing economic and social problem. The bill stands or falls on whether the measures it contains succeed in limiting prison numbers to an unavoidable minimum.

Inflation in sentencing and massive overuse of custody over the last 18 years leaves us with a society where 7% of school children experience their father’s imprisonment. Today, the prison population is around 85,000. When Ken Clarke was last in charge of prisons and probation in 1992-93 it was less than 45,000.

The bill proposes to cut any unnecessary use of custodial remand, increase discretion in response to technical breach of licence and intervene to get children and young people out of trouble. The review of the runaway indeterminate sentence for public protection is welcome. Plans to strengthen rehabilitation, making prison a place where serious offenders do time rather than waste time, should reduce reoffending on release. The bill has the capacity to place prison firmly where it belongs - as an important place of last resort – no more, no less.

Prisons always command our attention. Their bolts and bars represent an abiding image which everyone recognises but comparatively few look beyond to life inside. Popular myths have grown up around perks for prisoners and prisons as holiday camps. What people should know about our least

visible public service is that prisons are secure, costly, overcrowded institutions with unacceptably high reoffending rates.

Despite some improvements, prison still has a poor record for reducing crime – 49% of adults are reconvicted within one year of being released – for those serving sentences of less than 12 months this increases to 61%. The rate of reoffending for those who have served more than 10 previous custodial sentences is 79%. The National Audit Office estimates that reoffending by former prisoners costs the economy between £9 - 13bn a year.

Deprivation of liberty is the most severe punishment in our justice system. There are many other tried and tested measures which cut crime and make communities safer. Community penalties are outperforming short spells behind bars. Plans in the bill to strengthen local community payback should build on their success and will win public support.

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. In another 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 would have most effect.

The strong partnership between health and justice will at long last make provision for proper diversion for people who are mentally ill, and those with learning disabilities, to get the treatment and care they need and for addicts to break free from drugs and drink. These measures alone, if properly implemented, will cut crime, reduce prison numbers and improve public health at a stroke. Prompted by the National Federation of Women’s Institutes’ ‘Care Not Custody’ campaign, this national scheme has won the support of professional bodies ranging from the Royal College of Nursing to the Police Federation – in total representing over a million members.

Politicians may be tempted to pepper speeches with references to toughness and punishment that win a few headlines. But most know that, when it comes to justice reform, there is more to agree on than to argue about. Over 1,200 professional organisations and people responded to the green paper consultation. There is a solid, mainstream consensus across political parties, justice professionals and the public on the need to take a more proportionate, effective approach. The government should have the confidence to act on it.

Prison overview

On 24 June 2011, the prison population in England and Wales was 84,635.¹ 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 2010-11 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 The government will also take forward proposals to invest in liaison and diversion services at police stations and courts to divert offenders with mental health needs and learning disabilities away from the justice system and into treatment and care.⁴

The impact assessment of the bill states: “The overall impact of the sentencing proposals will result in annual savings of approximately £80m in 2014/15, due to a reduction in the demand for prison places of 2,650, which will result in a broadly flat prison population over the spending review period.”⁵

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.”⁶

Trends

England and Wales has an imprisonment rate of 154 per 100,000 of the population. France has an imprisonment rate of 96 per 100,000 and Germany has a rate of 88 per 100,000.⁷

Between 1995 and 2009, the prison population in England and Wales grew by 32,500 or 66%. Almost all of this increase took place within those sentenced to immediate custody (78% of the increase) and those recalled to prison for breaking the conditions of their release (16%).⁸

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.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% overall from 2009.¹¹

The proportion of defendants sentenced to immediate custody has remained stable over the past 11 years while the trend in average sentence lengths has been increasing, now 2.2 months higher than in 1999.¹²

On 17 November 2010 there were 6,375 prisoners serving an indeterminate IPP sentence or Detention for Public Protection. Of these 3,173 of those prisoners are held beyond their tariff expiry date.¹³

Since 2005 just 202 people serving IPP sentences have been released from custody.¹⁴

In 2009, 55,207 people were remanded into custody to await trial.¹⁵ In the same year, an estimated 40% of people remanded into custody didn't go on to receive a custodial sentence.¹⁶

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.

1 Ministry of Justice (2011), Weekly Prison Population Bulletin - 24 June 2011

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

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

4 Plans for a national liaison and diversion scheme were announced by the Health Secretary Andrew Lansley and the Justice Secretary Ken Clarke at a Westminster reception jointly hosted by the Prison Reform Trust and the National Federation of Women's Institutes on 28 March 2011

5 Bill 205 EN 2010-2012 (Explanatory Notes to the Bill)

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

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

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

9 Carter, P. (2007), Lord Carter's Review of Prisons, Securing the future, 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 Ibid.

13 Hansard HC, 29 March 2011, c234W

14 Table A3.4, Ministry of Justice (2011), Offender Management Caseload Statistics 2010, London: Ministry of Justice

15 Ministry of Justice (2010), Offender Management Caseload Statistics 2009, London: The Stationery Office. NB, the same person can be remanded before and after trial, so counting twice

16 Hansard HC, 10 January 2011, c191W

36,042 people were given custodial sentences up to and including three months in 2009 – up 1% compared to 2008.¹⁷

At the end of May 2011, 80 of the 132 prisons in England and Wales were overcrowded.¹⁸

In 2009 an average of 20,028 prisoners were either doubled up in cells designed for one or held three in a cell designed for two. This accounts for 24% of the prison population. This is up from 19,328 in 2008.¹⁹

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.²⁰

A prison with a population of 400 prisoners or under was four times more likely to perform 'well' than a prison with a population of over 800.²¹ Public prisons were over five times more likely to perform well for safety than private prisons.²²

In 2010, 15% of men and 24% of women in prison were serving sentences for drug offences.²³ 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.²⁴

In half of violent crimes (50%) the victim believed the offender or offenders to be under the influence of alcohol.²⁵

17 Ibid.

18 NOMS Monthly Prison Population Bulletin – May 2011

19 Hansard HC, 28 March 2011, c70W

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

21 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

22 Ibid.

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

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

25 Flatley, J. et al. (2010), Crime in England and Wales 2009/10, London: Home Office

The number of women in prison has increased by 114% over the past 15 years. On 17 June 2011, the women's prison population stood at 4,184.²⁶

The number of children (under-18s) in custody is at its lowest level since the Youth Justice Board started collecting figures in 2000. Numbers peaked at an average of just over 3,000 in custody in 2007-08. At the end of April 2011 they had fallen to 1,890.²⁷

At the end of March 2011 there were 10,369 young people aged 18-20 in prison in England and Wales, up 5% on the previous year.²⁸

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 2010.²⁹

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 46.³⁰

It is estimated that there are 160,000 children with a parent in prison each year.³¹ This is around two and a half times the number of children in care (61,000), and over six times the number of children on the Child Protection Register (26,000).³²

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

26 Ministry of Justice (2011), Weekly Prison Population Bulletin - 17 June 2011

27 Youth Justice Board (2011), Monthly data and analysis custody report - April 2011, London

28 Table 1.2, Ministry of Justice (2011), Offender Management Statistics Quarterly Bulletin, October to December 2010, London: Ministry of Justice. This figure includes some 21 year-olds who were aged 20 or under at conviction but have not been reclassified as part of the adult population

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

30 Home Office (2001), Criminal careers of those born between 1953 and 1978

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

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

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

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

Costs

According to the government, the overall cost of the criminal justice system has risen from 2% of GDP to 2.5% over the last 10 years. That is a higher per capita level than the US or any EU country.³⁵

Following the 2010 spending review the Ministry of Justice will have to make overall resource savings of 23% in real terms by 2014-15.³⁶

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.³⁷

Between 2003-04 and 2008-09 prison expenditure increased nearly 40% in real terms, from £2.52bn to £3.98bn a year.³⁸

The overall average cost per prison place, including prison related costs met by the National Offender Management Service, but excluding expenditure met by other government departments such as health and education, is £45,000.³⁹

The cost of the crown court process of imposing a prison sentence is approximately £30,500, made up of court and other legal costs.⁴⁰

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 £60,000.⁴¹

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.⁴²

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.⁴³

The NOMS total budget for financial year 2011-2012 for public prisons is £1,870 million and private prisons £311 million.⁴⁴ Private prisons hold 11.6% of the total prison population and receive 14.3% of the overall prisons budget.

In 2008-09 the prison service's capital expenditure was 18% over budget.⁴⁵

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.⁴⁶

To meet the 3% year-on-year efficiency savings, the Prison Service decided, with ministerial support, to reduce the core week for prisoners as from April 2008. Prisoners are now locked up for half-a-day more thus reducing constructive activity and time outside cells.⁴⁷

Imprisoning mothers for non-violent offences carries a cost to children and the state of more than £17 million over a 10 year period.⁴⁸

In 2007-08, reoffending by all recent ex-prisoners cost the economy between £9.5 billion and £13 billion and as much as three quarters of this cost can be attributed to former short-sentenced prisoners: some £7 billion to £10 billion a year.⁴⁹

People in prison: a snapshot

71% of children in custody have been involved with, or in the care of, social services before entering custody.⁵⁰

90% of young men and 75% of young women in prison have been excluded from school.⁵¹

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

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

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

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

39 Hansard HC, 3 March 2010, c1251W

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

41 HC Deb, 18 January 2011, c690W

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

43 HC Deb, 13 September 2010, c847W

44 HC Deb, 4 April 2011, c642W

45 Hansard HC, 9 September 2009, c2030W

46 Hansard HC, 29 March 2011, C156

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

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

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

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

51 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

Fewer than half the young people in surveys conducted by HM Prisons Inspectorate said that they had two or more visits a month.⁵²

The average age of those sentenced to custody in 2006 was 27. A quarter was aged 21 or under.⁵³

Of all the women who are sent to prison, 37% say they have attempted suicide at some time in their life.⁵⁴ 51% have severe and enduring mental illness, 47% a major depressive disorder, 6% any psychosis and 3% schizophrenia.⁵⁵

Over half the women in prison report having suffered domestic violence and one in three has experienced sexual abuse.⁵⁶

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.⁵⁷

10% of men and 30% of women have had a previous psychiatric admission before they come into prison.⁵⁸

At the end of March 2011 there were 10,745 foreign national prisoners (defined as non-UK passport holders), 13% of the overall prison population.⁵⁹

20 – 30% of all offenders have learning disabilities or difficulties that interfere with their ability to cope with the criminal justice system.⁶⁰ 23% of young offenders have learning difficulties (IQs of below 70) and a further 36% have borderline learning difficulties (IQ 70-80).⁶¹

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.⁶² Nearly half those in prison have no qualifications at all.⁶³

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%).⁶⁴ This compares to one in 10 of the general population.⁶⁵

49% of the total prison population are Christian (of whom 53% are Anglican, 35% Roman Catholic, 9% other Christian and 3% Free Church), 12% are Muslim, 2% are Buddhist and 35% report having no religion.⁶⁶

Outcomes

Prison has a poor record for reducing reoffending – 49% of adults are reconvicted within one year of being released – for those serving sentences of less than 12 months this increases to 59%. For those who have served more than 10 previous custodial sentences the rate of reoffending rises to 77%.⁶⁷

51% of women leaving prison are reconvicted within one year – for those serving sentences of less than 12 months this increases to 62%.⁶⁸

72% of children (under 18s) released from custody in 2008 reoffended within a year.⁶⁹

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.⁷⁰

Just 36% of people leaving prison go into education, training or employment.⁷¹

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

53 Hansard HC, 8 January 2008, c432W

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

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

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

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

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

59 Table 1.5, Ministry of Justice (2011) Offender Management Statistics Quarterly Bulletin, October to December 2010, London: Ministry of Justice

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

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

62 Hansard HC, 9 January 2007, c548W

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

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

65 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

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

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

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

69 Table A5, Ministry of Justice (2011), Reoffending of juveniles: results from the 2009 cohort, England and Wales, London: Ministry of Justice

70 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

71 Hansard, HC, 23 March 2010, c115

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, the majority placed importance primarily on 'having a job' (68%) and on 'having a place to live' (60%).⁷²

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.⁷³

Court ordered community sentences were more effective (by seven percentage points) at reducing one-year proven reoffending rates than custodial sentences of less than 12 months for similar offenders.⁷⁴

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.⁷⁵

According to the British Crime Survey 2009-10 crime rates have fallen since 1997 with crime overall reduced by 43%, and by 9% in the past year.⁷⁶

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'.⁷⁷

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. 21% of people believed they were fairly or very likely to be a victim of car crime, when the actual risk was 6%.⁷⁸

45% of crimes reported in newspapers in the UK involve sex or violence, compared with only 3% of actual reported crime.⁷⁹

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.⁸⁰

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.⁸¹

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

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

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

75 Home Office Press Release, 20 February 2007

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

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

78 Ibid.

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

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

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

Scottish prison overview

On 24 June 2011 the total population of prisoners in custody in Scotland stood at 7,957.⁸²

The official capacity for the total of all 15 Scottish prisons stands at 7,331. This puts the occupancy level at 109.9%.⁸³

45% of prisoners in Scotland reported that high prisoner numbers have had an impact on both their safety and privacy in their cell, access to medical services (62%), opportunities for training and education (61%), and quality of life generally (58%).⁸⁴

The imprisonment rate for Scotland stands at 153 per 100,000.⁸⁵

Young adults (18-21) make up 9% of the prison population.⁸⁶

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

Since the year 2000-01 the average daily women's prison population in Scotland has increased by 106%. The 2009-10 average daily women's prison population was 424, an increase from 412 in 2008-09.⁸⁸

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%).⁸⁹

In Scotland, the average daily remand population in 2009-10 was 1,522, down 9% on the previous year.⁹⁰

In 2009-10 1,845 women were received into custody on remand, 76% higher than 2000-01.⁹¹

The average daily population of prisoners in Scotland recalled from supervision or licence has risen substantially, increasing by 21% to 621 in 2009-10, from 514 in 2006-07.⁹²

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 2005-06.⁹³

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.⁹⁴

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.'⁹⁵

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.'⁹⁶

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.'⁹⁷

The former HM Chief Inspector of Prisons for Scotland has stated that 'prison is no place for a child.'⁹⁸

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

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

84 Scottish Prison Service, 12th prisoner survey 2009

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

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

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

88 Table 1, The Scottish Government (2010) Prison statistics Scotland: 2009-10, Edinburgh: The Scottish Government

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

90 Table 1, The Scottish Government (2010) Prison statistics Scotland: 2009-10, Edinburgh: The Scottish Government

91 Table 9, Ibid

92 Table 1, Ibid.

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

94 Table 10(a), Ibid.

95 <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/>

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

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

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

1% of Scottish children have been in care; 50% of Scottish prisoners have been in care; 80% of Scottish prisoners convicted of violence have been in care.⁹⁹

The annual cost per prisoner place for 2009-10 was £31,703.¹⁰⁰

Hugh Monro, Chief Inspector of Prisons for Scotland, stated in his most recent annual report 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.”¹⁰¹

Call charges from Scottish prisons have reduced from 1 April 2010. Following the successful supercomplaint to Ofcom brought by the Counsumer Councils 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.¹⁰²

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%).¹⁰³

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.¹⁰⁴

An average of 56% of all offenders admitted to Scottish prisons test positive for drugs.¹⁰⁵

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.¹⁰⁶

20% of respondents to the 2009 Scottish Prison Service prisoner survey had been seen by mental health staff.¹⁰⁷

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

100 Scottish Prison Service (2010), Scottish Prison Service Annual Report and Accounts 2009-10, Edinburgh: Scottish Prison Service

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

102 Information from Consumer Focus, 10 May 2010

103 Scottish Prison Service, 12th prisoner survey 2009

104 Scottish Prison Service, 12th Prisoner Survey 2009

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

106 Scottish Prison Service, 12th Prisoner Survey 2009

107 Scottish Prison Service, 12th Prisoner Survey 2009

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.¹⁰⁸

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 of respondents 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.¹⁰⁹

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.¹¹⁰

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.’¹¹¹

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.¹¹²

73% of people discharged from custody after a short sentence of six months or less are reconvicted within two years, compared to 25% of those who served a sentence of four years or more.¹¹³

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

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

110 ibid

111 <http://news.stv.tv/scotland/112781-kenny-macaskill-argues-against-short-prison-sentences/>

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

113 Table 4, The Scottish Government (2010) Reconviction Rates in Scotland: 2006-07 and 2007-08 Offender Cohorts

Prisoners in Peterhead still do not have access to proper sanitation. The former HM Chief Inspector of Prisons for Scotland states that the continuation of slopping out 'remains the worst single feature of prisons in Scotland.'¹¹⁴ In its latest inspection report the current HM Chief Inspector of Prisons for Scotland states that 'slopping out is degrading for all those concerned' and recommends that alternatives to slopping out are found.¹¹⁵

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.¹¹⁶

The Scottish prison population is predicted to rise to 9,500 by 2019.¹¹⁷

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 2012.¹¹⁸

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

115 HM Inspectorate of Prisons (2010), Report on HMP Peterhead, Edinburgh: The Scottish Government

116 Scottish Prison Service, Prisoner Population 24 April 2009

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

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

Northern Ireland prison overview

On 12 April 2010 policing and criminal justice powers were devolved from Westminster to the Northern Ireland Assembly.¹¹⁹

On 6 June 2011 the total prison population for Northern Ireland stood at 1,687.¹²⁰

The prison population in Northern Ireland has increased by 13% since 2005.¹²¹

The imprisonment rate for Northern Ireland is 90 per 100,000.¹²²

The current combined design capacity for the three Northern Ireland prison services is 1,765, meaning the current occupancy level stands at 83%.¹²³

A high proportion of people in prison in Northern Ireland are being held on remand and this has remained obstinately high 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.¹²⁴

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).¹²⁵

Over half the women who arrived in prison in 2010 were there because of fine default.¹²⁶

In 2009-10 the average cost per prisoner place was £77,831. A total of £137,372,000 was spent in operating costs.¹²⁷

24% (1,394) of people sent to prison in 2009 were for failure to pay fines.¹²⁸

In 2006 the combined reoffending rate for youth conferencing, a restorative justice programme in Northern Ireland, was 38% – this compared to 52% for community sentences and 71% for custodial sentences.¹²⁹

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.¹³⁰

The number of children sentenced to immediate custody in Northern Ireland dropped from 139 in 2003 to 89 in 2006.¹³¹

In 2009-10 190 incidents of self-harm were reported.¹³²

There have been two reported deaths in custody in 2011, both were young people held in Hydebank Wood.¹³³

The average absenteeism for each member of staff was 12.64 days.¹³⁴

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.”¹³⁵

119 http://www.opsi.gov.uk/si/si2010/uksi_20100976_en_1

120 Northern Ireland Prison Service website at <http://www.niprisonservice.gov.uk/module.cfm/opt/8/area/Population%20Report/page/population/>

121 Table 1, Department of Justice (2010) The Northern Ireland Prison Population in 2009, Belfast: Department of Justice

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

123 Ibid.

124 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

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

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

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

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

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

130 Ibid.

131 Ibid.

132 Ibid.

133 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>

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

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

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.'¹³⁶

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.'¹³⁷ 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.¹³⁸

The prison population was 110% of the 'in use CNA' (76,742) on 27 May 2011.¹³⁹

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.¹⁴⁰

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.¹⁴¹

The end of custody licence 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.¹⁴²

At the end of May 2011, 80 of the 132 prisons in England and Wales were overcrowded.¹⁴³

In 2009 an average of 20,028 prisoners were either doubled up in cells designed for one or held three

in a cell designed for two. This accounts for 24% of the prison population. This is up from 19,328 in 2008.¹⁴⁴

In 2008 there were 2,195 in-cell assaults recorded – 18% of all prisoner-on-prisoner assaults.¹⁴⁵

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.¹⁴⁶

In 2009-10, the average cost of transferring prisoners was £98.16. 82,521 prisoners were transferred during this time. An average of 1,587 per week.¹⁴⁷

The 10 most overcrowded prisons in England and Wales, May 2011:¹⁴⁸

Prison	In use CNA	Operational Capacity	Population	% Overcrowded
Kennet	175	342	330	189%
Shrewsbury	184	340	334	182%
Swansea	240	435	427	178%
Preston	455	842	738	162%
Exeter	316	545	507	160%
Leicester	203	386	323	159%
Canterbury	195	314	307	157%
Durham	606	1,017	936	154%
Doncaster	713	1,145	1,093	153%
Dorchester	146	260	221	151%

The Prisons and Probation Ombudsman (PPO) has highlighted the damaging effects of prisoners being transferred on 'overcrowding drafts'. Prisoners are often moved from jails that they know and are known, to other busy prisons where they may feel less safe. A number of PPO investigations have drawn attention to the potentially tragic consequences of this.¹⁴⁹

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'.¹⁵⁰

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'.¹⁵¹

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

137 Ibid.

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

139 NOMS Monthly Bulletin – April 2011

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

141 HM Chief Inspector of Prisons (2010) Annual Report 2008-09, London: The Stationery Office

142 NOMS Population Bulletin – Monthly May 2011

143 NOMS Monthly Bulletin – April 2011

144 Hansard HC, 28 March 2011, c70W

145 NOMS, Safer Custody News, July/August 2009

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

147 Hansard HC, 7 December 2010, c202W

148 NOMS Monthly Bulletin - May 2011

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

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

151 Hansard HC, 23 November 2010, c155

Sentencing trends

1,365,347 people were sentenced by the courts in 2010, a decrease of 3% overall from 2009.¹⁵²

Despite a 4% decrease in offenders sentenced at the magistrates' court, there was an 8% increase for those at the crown Cche last few years of increasing numbers of offenders being sentenced at the Crown Court. 7.5% of people (101,513) were sentenced to immediate custody with an average sentence length of 13.7 months.¹⁵³

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.¹⁵⁴

The proportion of defendants sentenced to immediate custody has remained stable over the past 11 years while the trend in average sentence lengths has been increasing, now 2.2 months higher than in 1999.¹⁵⁵

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.¹⁵⁶

There were 72,116 prisoners under sentence at 31 March 2011, up 814 from a year earlier.¹⁵⁷

In 2009 57% of immediate custodial sentences given were for 6 months or less. Between 1999 to 2009 the number of people sentenced to immediate custody for more than six months and less than twelve months has increased by 30%.¹⁵⁸

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.¹⁵⁹

The rise in the number of people entering prison under sentence between 1999 and 2009 was proportionally far greater for women (up 66%) than for men (up 8%).¹⁶⁰

Magistrates' courts accounted for 48,389 sentences of immediate custody, down 4% on 2008. The percentage of people sentenced to immediate custody for all offences has remained stable over the past five years.¹⁶¹

At magistrates' courts the average sentence length for sentences of immediate custody remained stable at 2.7 months.¹⁶²

55% of people sentenced at the crown court received an immediate custodial sentence, a total of 51,801. This is a rise of 5% from 2008 and is the highest use of custody at the crown court in the last 11 years.¹⁶³

36,042 people were given sentences up to and including three months in 2009 – up 1% compared to 2008.¹⁶⁴

37% of women entering prison under sentence serve sentences of up to and including three months, compared to 29% of men.¹⁶⁵

Women serve shorter prison sentences than men and for less serious offences. In 2009 62% of women entering custody served sentences of six months or less, compared with 52% of men.¹⁶⁶ Theft and handling was by far the most common offence, accounting for 34% of sentenced receptions.¹⁶⁷

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.¹⁶⁸

16% of women serving sentences of twelve months or under have no previous convictions.¹⁶⁹ 46% of adults given custodial sentences have already had at least three previous custodial sentences.¹⁷⁰

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

153 Ibid.

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

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

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

157 Ministry of Justice (2010) Offender Management Statistics Quarterly Bulletin, October to December 2010, London: Ministry of Justice

158 Table 2.1, Ministry of Justice (2010) Sentencing Statistics 2009, London: The Stationery Office

159 Hansard, WH 5 February 2009, c328WH

160 Ibid.

161 Table 2.2, Ministry of Justice (2010) Sentencing Statistics 2009, London: The Stationery Office

162 Ibid.

163 Table 2.3, Ibid.

164 Ibid.

165 Table 6.8, Ministry of Justice (2010) Offender Management Caseload Statistics 2009, London: The Stationery Office

166 Table 6.1, Ibid.

167 Table 6.2, Ibid.

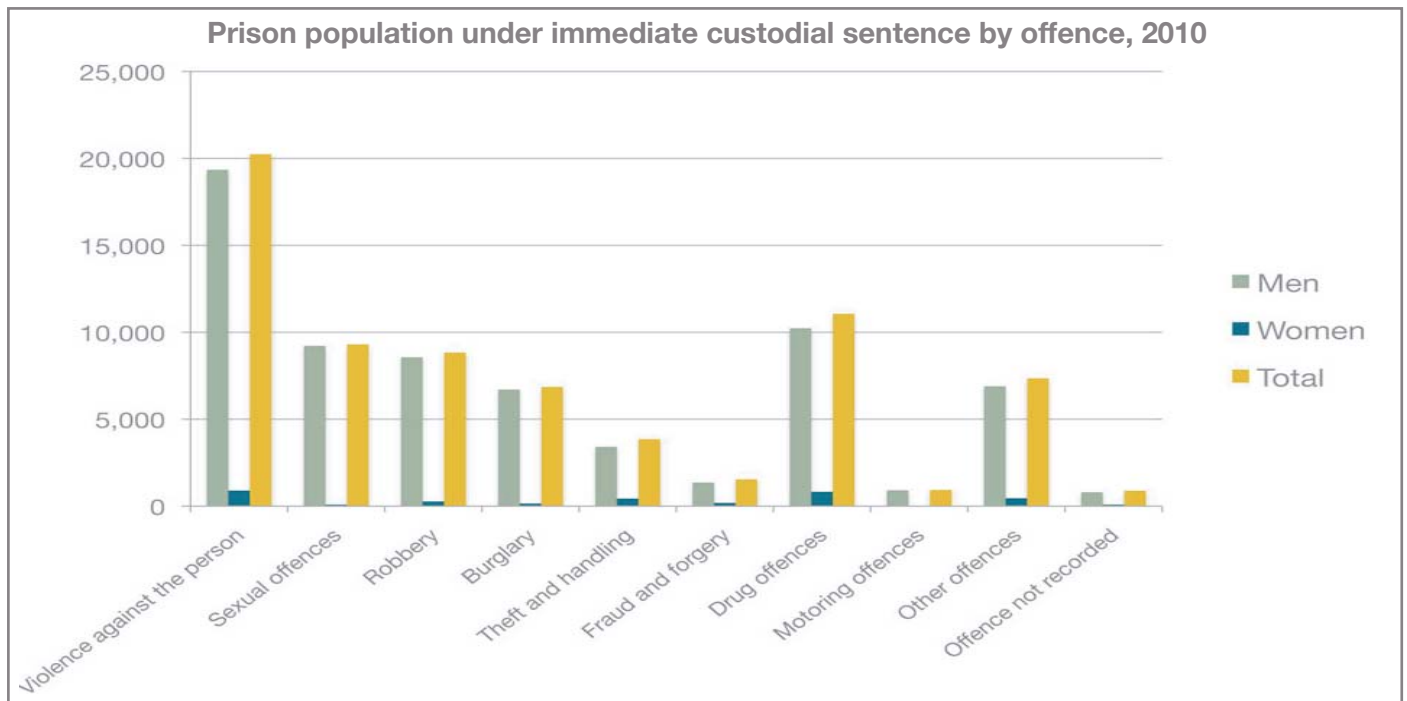
168 Table 7.32, Ministry of Justice (2010) Offender Management Caseload Statistics 2009, London: Ministry of Justice

169 Ibid.

170 Hansard, WH, 5 February 2009, c302WH

Reconviction rates for sentences of 12 months or less were almost twice those of offenders sentenced to carry out unpaid work – 70% compared to 38%.¹⁷¹

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”.



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

171 House of Commons Justice Committee (2008) Towards Effective Sentencing, Fifth Report of Session 2007-08, Vol 1, London: The Stationery Office

Life and indeterminate sentences

The number of life sentenced and IPP sentenced prisoners has increased considerably in recent years and is now at its highest ever. There were 13,587 people serving indeterminate sentences at the end of March 2011, a rise of 11% in the last two years.¹⁷² This compares with fewer than 4,000 in 1998 and 3,000 in 1992.¹⁷³

The proportion of the sentenced prison population serving indeterminate sentences (life sentences and IPPs) increased from 9% in 1995 to 18% in 2010.¹⁷⁴

As of 1 September 2009, England and Wales has by far the highest number (12,521) of sentenced prisoners serving indeterminate sentences in Europe.¹⁷⁵

Life sentences

421 people were given a life sentence in 2009, a decrease of 102 from 2008.¹⁷⁶

At the end of 2007 there were 35 prisoners in England and Wales serving a 'whole life' tariff.¹⁷⁷

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 2009.¹⁷⁸

Indeterminate Sentences for Public Protection (IPP)

1,001 people were given an IPP sentence in 2009, a decrease of 35% since 2008.¹⁷⁹

On 17 November 2010 there were 6,375 prisoners serving an indeterminate IPP sentence or Detention for Public Protection. 3,173 of these prisoners are held beyond their tariff expiry date.¹⁸⁰

Since 2005 just 202 people serving IPP sentences have been released from custody.¹⁸¹

172 Table 1.1a, Offender Management Caseload Statistics Quarterly Bulletin, October to December 2010, London: Ministry of Justice

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

174 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

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

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

177 Hansard HC, 5 February 2008, c1115W

178 Hansard HC, 22 February 2010, c256W

179 Table 2.1, Ministry of Justice (2010) Sentencing Statistics 2009, London: Ministry of Justice

180 Hansard HC, 29 March 2011, c234W

181 Table A3.4, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

Changes have been made to the legislation – which came into effect on 14 July 2008 – limiting the availability of IPP sentences to those with a minimum tariff of two years and over (equivalent to a determinate sentence of four years). This should reduce the numbers sentenced to an IPP by up to an estimated 30%. However, those sentenced to an indeterminate sentence are likely to stay well beyond tariff.¹⁸²

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

Unless legislation is amended again, about 10% of the entire prison population will be serving IPP sentences by 2015 at the present rate.¹⁸³

Initially a third of IPP prisoners had tariffs of two years or less. After the amendments of 2008, 18% had tariffs of two years or less; 24% had tariffs of five years or more.¹⁸⁴

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.¹⁸⁵

On 19 January 2010, of the 2,468 people being held beyond tariff, 466 had completed no accredited offending behaviour programmes.¹⁸⁶

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.'¹⁸⁷

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.'¹⁸⁸

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

183 Hansard HC, 23 November 2010, c147

184 Jacobson, J. and Hough, M. (2010) Unjust Deserts: imprisonment for public protection, London: Prison Reform Trust

185 Letter from Maria Eagle MP to Andrew Stunnell MP, 19 January 2010

186 Hansard HC, 26 January 2010, c732W

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

188 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

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.¹⁸⁹

Data from the Prison Service's Safer Custody Group also confirm that IPP prisoners have a raised incidence of self-harm.¹⁹⁰

Three people serving IPP sentences took their own lives in 2009.¹⁹¹

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.¹⁹²

According to HM Chief Inspector of Prisons, many IPP prisoners remain unclear about the implications of their sentence.¹⁹³

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.¹⁹⁴

On 5 July 2010, 2,120 people serving an IPP sentence "had not completed at least one course".¹⁹⁵

Prisoners whom staff consider to be unsuitable to participate because of mental illness or emotional instability are often excluded from taking part in programmes entirely.¹⁹⁶

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.¹⁹⁷ 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'.¹⁹⁸

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).'¹⁹⁹

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.'²⁰⁰

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.²⁰¹

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

190 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

191 Hansard HC, 8 March 2010, c97W

192 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

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

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

195 Hansard HC, 26 July 2010, c691W

196 Ibid.

197 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

198 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

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

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

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

People on remand

In 2009, 55,207 people were remanded into custody to await trial. In the same year 37,003 people were remanded into prison convicted but awaiting sentence.²⁰²

In 2007, 11,400 people remanded in custody were subsequently acquitted.²⁰³

In 2009, an estimated 40% of people remanded into custody didn't go on to receive a custodial sentence.²⁰⁴

The remand population in prison at the end of March 2011 was 12,300, down 3% from the previous year. Within this total, the untried population increased 6% to 8,298 and the convicted unsentenced population decreased 17% to 4,002.²⁰⁵

In 2008 21% of young people (under 18) in custody were on remand.²⁰⁶

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.²⁰⁷

In 2009, an estimated 1,792 children who were remanded in custody were subsequently acquitted or given a non-custodial sentence.²⁰⁸

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.²⁰⁹

The average waiting time for those remanded into custody awaiting cases committed for trial at the crown court was 12.3 weeks.²¹⁰ This is up from 10.1 weeks in 2001.²¹¹

Just under two-thirds of people received into prison on remand awaiting trial are accused of non-violent offences. In 2009, 12% were remanded into custody for theft and handling of stolen goods.²¹²

202 Ministry of Justice (2010) Offender Management Caseload Statistics 2009, London: The Stationery Office. NB, the same person can be remanded before and after trial, so counting twice

203 Hansard HC, 1 September 2009, c1775W

204 Hansard HC, 10 January 2011, c191W

205 Ministry of Justice (2011) Offender Management Statistics Quarterly Bulletin, October to December 2010, London: Ministry of Justice

206 Hansard HC, 7 December 2010, c205W

207 Hansard HC, 12 October 2009, c92W

208 Hansard HC, 8 December 2010, c300W

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

210 Table 5A, Ministry of Justice (2010) Criminal Statistics: England and Wales 2009, London: Ministry of Justice

211 Table 2.2, Office for Criminal Justice Reform (2008) Criminal Statistics: England and Wales 2007 statistics bulletin, London: Office for Criminal Justice Reform

212 Table 6.2, Ministry of Justice (2010) Offender Management Caseload Statistics 2009, London: The Stationery Office

Untried remand receptions by offence type 2009

Offence Group	Total
Violence against the person	14,568
Other offences	9,983
Theft and handling	6,773
Burglary	6,497
Drug offences	5,340
Robbery	4,259
Fraud and forgery	3,246
Sexual offences	2,396
Motoring offences	1,318
Offence not recorded	827

In the year up to the end of March 2011 the number of women on remand increased 5% to 783. Women on remand make up 18% of the female prison population.²¹³

The number of women entering prison on remand awaiting trial has decreased 15% from 2008. This comes after an increase of 22% over the period between 2004 and 2008.²¹⁴

One fifth of children in custody in England and Wales are locked up on remand – approximately 600 at any one time. The number of children imprisoned on remand has increased by 41% since 2000.²¹⁵

Use of the important alternative to custodial remand – remand to non-secure local authority accommodation – has declined by 43% in the last four years. In most areas of England and Wales there is no specialist accommodation for under-18 year olds on bail or remand to non-secure local authority accommodation.²¹⁶

As at 1 April 2009 the average cost of placing a young person remanded to custody in a Secure Training Centre was £160,000 per annum (excluding VAT).²¹⁷

According to research by the Office for National Statistics, more than a quarter of men on remand have attempted suicide at some stage in their life. For women remand prisoners the figure is even higher. More than 40% have attempted suicide before entering prison.²¹⁸

213 Table 1.1c, Ministry of Justice (2010) Offender Management Statistics Quarterly Bulletin, October to December 2010, London: Ministry of Justice

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

215 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

216 Ibid.

217 Hansard HC, 18 January 2011, c690W

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

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.²¹⁹

Remand prisoners, 16% of the prison population, accounted for 38% of self-inflicted deaths in 2009.²²⁰

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.²²¹

Information on the number of unconvicted prisoners who have received no social visits from family is not centrally collated.²²² However the Social Exclusion Unit found that one in four men and half of all women on remand receive no visits from their family.²²³

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.²²⁴

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.²²⁵

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.²²⁶

A Ministry of Justice survey found that only 32% of prisoners reported being in paid employment in the four weeks prior to custody.²²⁷ 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.²²⁸

219 Ibid.

220 Table 8, Ministry of Justice (2010), Safety in Custody Statistics 2009, London: Ministry of Justice

221 nacro (2000) Prisoner Resettlement Surveys, Unpublished

222 Hansard HC, 7 December 2010, c201W

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

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

225 nacro (2000) Prisoner Resettlement Surveys, unpublished

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

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

228 Ibid.

Releases from and recalls to prison²²⁹

There was a total of 89,666 prisoners released from determinate sentences in 2010.²³⁰

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.²³¹

There were 5,625 recall prisoners in prison on 31 March 2011.²³²

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.²³³

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 2004.²³⁴

Recalled prisoners make up nearly 11% of the population of local prisons.²³⁵

In 2009-10, 13,919 determinate sentence offenders were recalled, an increase of 18% on 2008-09.²³⁶

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.²³⁷

48 prisoners have been granted permanent early release on compassionate grounds in the last five years.²³⁸ This equates to some 28% of applications.²³⁹

In 2010, 12,250 people were released on Home Detention Curfew (HDC). This was 21% lower than in 2000. One of the main reasons associated with this fall were assessors becoming more risk aware or averse.²⁴⁰ On 19 November 2010, 2,698 people were on HDC.²⁴¹

In 2010 there were 1,154 decisions to recall from HDC. Of those recalled, just 18% were for a new offence.²⁴²

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

The Prisons and Probation Ombudsman reports seeing more complaints about delays or omissions in delivering sentence plans, and about the content of reports. Decisions about release on HDC or release on temporary licence also feature to a degree that was not the case at the beginning of the decade.²⁴³

The end of custody licence 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.²⁴⁴

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.²⁴⁵

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

230 Table A3.1a, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

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

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

233 Hansard, WH, 5 February 2009, c311WH

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

235 Ibid.

236 Ministry of Justice (2010) Offender management caseload statistics 2009, London: The Stationery Office

237 NOMS Recall newsletter edition 7, annex A

238 Hansard HC, 17 June 2009, c401W

239 Hansard, WH, 20 October 2009, c208 WH

240 Table A3.4, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

241 NOMS, Prison Population and Accommodation Briefing, 19 November 2010

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

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

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

245 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 – 49% of adults are reconvicted within one year of being released – for those serving sentences of less than 12 months this increases to 59%. For those who have served more than 10 previous custodial sentences the rate of reoffending rises to 77%.²⁴⁶

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%.²⁴⁷

58% of young people (18-20) released from custody in the first quarter of 2008 reoffended within a year.²⁴⁸

72% of children (10-17) released from custody in 2009 reoffended within a year.²⁴⁹

Factors affecting reoffending²⁵⁰

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

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%).

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.

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

247 Table A5(F) and A9(F), *Ibid.*

248 Hansard HC, 17 January 2011, c653W

249 Table A5, Ministry of Justice (2011), Reoffending of juveniles: results from the 2009 cohort, London: Ministry of Justice

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

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.

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, the majority gave importance primarily to 'having a job' (68%) and 'having a place to live' (60%).

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

It is estimated that there are 160,000 children with a parent in prison each year.²⁵¹ This is around two and a half times the number of children in care (61,000), and over six times the number of children on the Child Protection Register (26,000).²⁵²

In 2006, more children were affected by the imprisonment of a parent than by divorce in the family.²⁵³

The Department of Education estimated in 2003 that, during their time at school, 7% of children experience their father's imprisonment.²⁵⁴

Each year it is estimated that more than 17,700 children are separated from their mother by imprisonment.²⁵⁵

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 have let their family down by being sent to prison (82%).²⁵⁶

Only 9% of children whose mothers are in prison are cared for by their fathers in their mothers' absence.²⁵⁷

At least a fifth of mothers are lone parents before imprisonment, compared to around 9% of the general population.²⁵⁸

Black and ethnic minority women are particularly likely to be single mothers, as more than half of black African and black Caribbean families in the UK are headed by a lone parent, compared with less than a quarter of white families and just over a tenth of Asian families.²⁵⁹

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

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

253 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

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

255 Prison Reform Trust

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

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

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

259 HM Chief Inspector of Prisons (2009) *Race relations in prisons: responding to adult women from black and minority ethnic*

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.²⁶⁰

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.²⁶¹ This is particularly acute for women given the limited number of women's prisons; in 2009 753 women were held over 100 miles from home.²⁶²

One Home Office study showed that for 85% of mothers, prison was the first time they had been separated from their children for any significant length of period. It also showed that 65% of mothers in prison were receiving their first custodial sentence.²⁶³

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.²⁶⁴

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.²⁶⁵

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).²⁶⁶

Additional savings can be made with non-custodial sentences because of the reduced likelihood of children becoming problem drug users, or becoming involved in crime, if their mothers avoid prison.²⁶⁷

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.²⁶⁸

backgrounds, London: The Stationery Office

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

261 Hansard HC, 7 January 2010, c548W

262 Hansard HC, 25 November 2009, c238W

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

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

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

266 Ibid.

267 Ibid.

268 Hansard HC, 26 January 2009, c202W

Seven young women aged 16 and 17 years old in secure training centres gave birth and one in a secure children's home gave birth between April 2006 and March 2009.²⁶⁹

Women with babies in prison may be unable to claim benefits for their children.²⁷⁰

25% of young men in young offender institutions are, or are shortly to become, fathers.²⁷¹

According to a Prisons Inspectorate and Youth Justice Board survey, 10% of young men and 9% of young women, aged between 15 and 18 years old had children themselves.²⁷²

In 2004, for the first time the government announced that a record will be kept of prisoners' children.²⁷³ 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.'²⁷⁴

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.'²⁷⁵

35% of men and 28% of women described themselves as living with a partner before entering custody.²⁷⁶

Prisoners' families, including their children, often experience increased financial, housing, emotional and health problems during a sentence. Children of prisoners have about three times the risk of mental health problems and the risk of anti-social/delinquent behaviour compared to other children.²⁷⁷

269 Hansard HC, 29 April 2009, c1332W

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

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

272 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

273 Hansard HC, 12 September 2004

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

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

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

277 Social Exclusion Unit (2002) *Reducing reoffending by ex-prisoners*, London: Social Exclusion Unit, and Murray, J., & Farrington,

Parental imprisonment approximately trebles the risk for antisocial-delinquent behaviour of children.²⁷⁸

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.²⁷⁹

During their sentence 45% of people lose contact with their families and many separate from their partners.²⁸⁰

Charles Clarke, when Home Secretary, stressed the importance of family for successful resettlement. 'As we consider the practical steps intended to equip offenders with the means to avoid reoffending we also need to remember the vital role of family, friends and community. I believe that we sometimes fail to give enough emphasis to the powerful impact of supportive relationships to prisoners – to realise that offenders often care deeply about letting down those closest to them, and want to show that they can change, but somehow just never get there. An offender is much less likely to reoffend if he feels part of a family and community, from which he receives support as well as owes obligations.'²⁸¹

Research indicates that having family ties can reduce the likelihood of reoffending by 39%.²⁸²

30% of young men and 47% of young women 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.²⁸³

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.

278 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.

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

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

281 PRT Annual Lecture 2005, Rt Hon Charles Clarke MP

282 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

283 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

Just a third of children and young people said that it was easy or very easy for a loved one to visit them.²⁸⁴

One in four men and half of all women on remand receive no visits from their family.²⁸⁵

21 prisoners with dependent children took their own life in the 12 months to 31 August 2009.²⁸⁶
Approximately 30% of prisoners who take their own lives had no family contact prior to their deaths.²⁸⁷

In 2008-09 closed visiting conditions were imposed on 1,817 occasions.²⁸⁸ 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.²⁸⁹

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 most recent HM Chief Inspector of Prisons 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'.²⁹⁰

The number of incidents where visitors are found to be in possession of drugs has decreased significantly in the last five years.
The number of drug related incidents involving visitors has declined from 831 in 2002-03 to 680 in 2006-07. The total number of attempted smuggling incidents was 3,488 (which include prison staff, prisoners and other means of entry such as throwing substances over prison walls and sending them by post).²⁹¹

284 Ibid.

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

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

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

288 Hansard HC, 22 March 2010, c21W

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

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

291 Hansard HC, 21 January 2008, c1678W

HM Inspectorate of Prisons has found that an average of 40% of prisoners in closed prisons reported difficulties with sending or receiving mail. A third of those in male local prisons reported difficulties accessing phones.²⁹²

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.²⁹³

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

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

Women in prison

On 10 June 2011 the number of women in prison in England and Wales stood at 4,169, 133 fewer than a year before.²⁹⁴ In the last decade the women's prison population has gone up 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 11,044 women were received into prison in 2009.²⁹⁵

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.²⁹⁶

28% of women in prison had no previous convictions – more than double the figure for men (13%).²⁹⁷

13% of women serving sentences of under 12 months had no previous convictions, compared with only 8% of men.²⁹⁸

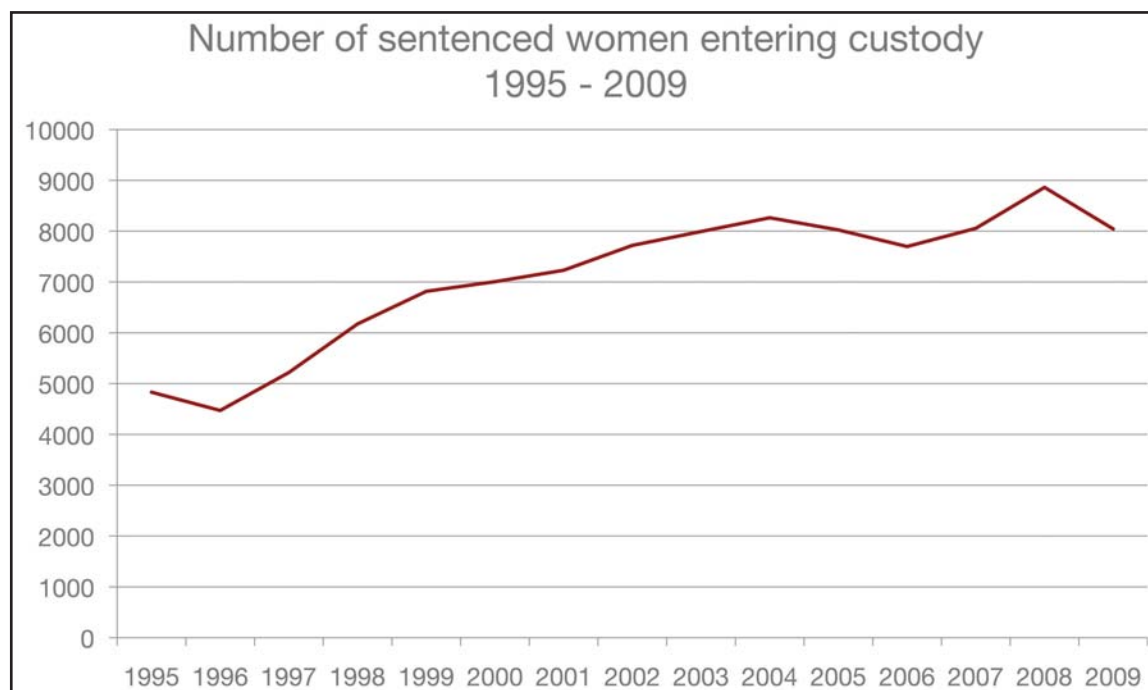
In 2010 the female population on remand fell 3% to 786. Women on remand make up 18% of the women's prison population.²⁹⁹

There has been a 15% decrease in the number of women remanded into custody between 6,721 in 1999 and 5,724 in 2009.³⁰⁰ These women spend an average of four to six weeks in prison and nearly 60% do not go on to receive a custodial sentence.³⁰¹

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%.³⁰²

At the end of March 2011 there were 698 foreign national women in prison, 16% of the women's prison population.³⁰³

82% of women serving an immediate custodial sentence have committed a non-violent offence, compared with 70% of men.³⁰⁴



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

294 NOMS, Population and Capacity Briefing, 10 June 2011
 295 Ministry of Justice (2010) Offender Management Caseload Statistics 2009, London: The Stationery Office
 296 NOMS, Population and Capacity Briefing, 10 June 2011
 297 Table A1.26, Ministry of Justice (2011) Offender Management Caseload Statistics 2011, London: Ministry of Justice
 298 Table A1.27, Ibid.

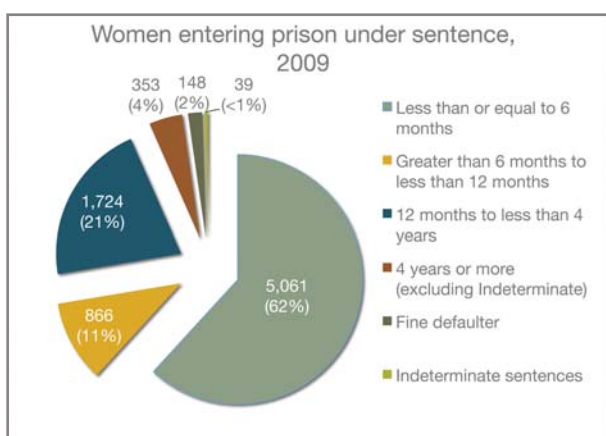
299 Table A1.1, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice
 300 Table 6.1, Ministry of Justice (2010) Offender Management Caseload Statistics 2009, London: The Stationery Office and Table 7.1, Ministry of Justice (2007) Offender Management Caseload Statistics 2006, London: Ministry of Justice
 301 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
 302 Table A5(F) and A9(F), Ministry of Justice (2011), Adult re-convictions: results from the 2009 cohort, London: Ministry of Justice
 303 Table A1.18, Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice
 304 Table 6.2, Ministry of Justice (2010) Offender Management Caseload Statistics 2009, London: Ministry of Justice.

Theft and handling was the most common offence that women were serving a custodial sentence for in 2009. They accounted for 34% of all women serving custodial sentences in 2009.³⁰⁵

A Cabinet Office study found that 28% of women offenders' crimes were financially motivated, compared to 20% of men.³⁰⁶

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.³⁰⁷

Most women serve very short sentences. In 2009 62% were sentenced to custody for six months or less.³⁰⁸



Ministry of Justice (2010) Offender Management Caseload Statistics 2009, 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 2009 14% were.³⁰⁹

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.³¹⁰

305 Ibid.

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

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

308 Table 6.1, Ibid.

309 Table 2i, Ministry of Justice (2010) Sentencing Statistics 2009, London: Ministry of Justice and Table 1.8, Ministry of Justice (2007) Sentencing Statistics 2006, London: Ministry of Justice

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

The average distance adult women in prison were held from their home or committal court address is 55 miles.³¹¹ In 2009 753 women were held over 100 miles away.³¹²

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.³¹³

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.³¹⁴

Of all the women who are sent to prison, 37% say they have attempted suicide at some time in their life.³¹⁵

There were 56 self-inflicted deaths of women prisoners between 2002 and 2010.³¹⁶

In 2009, there were a total of 24,114 incidents of self-harm in prisons, with 6,977 prisoners recorded as having injured themselves. Women accounted for 43% of all incidents of self harm despite representing just 5% of the total prison population.³¹⁷

Overall, more than one-third of female prisoners (37%) self-harmed in 2009, compared with 7% of male prisoners.³¹⁸

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.³¹⁹

311 Hansard HC, 7 January 2010, c548W

312 Hansard HC, 25 November 2009, c238W

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

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

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

316 Ministry of Justice (2011), 'Deaths in prison custody 2010' taken from <http://www.justice.gov.uk/news/press-release-020111a.htm>

317 Table 1, Ministry of Justice (2010) Safety in Custody Statistics 2009, London: Ministry of Justice

318 Ibid.

319 HM Chief Inspector of Prisons and HM Chief Inspector of Probation

As of 30 June 2010 there were 134 women in prison serving IPP sentences, under 2% of the total IPP population.³²⁰

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.³²¹

Over half the women in prison report having suffered domestic violence and one in three has experienced sexual abuse.³²²

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.'³²³

The proportion of women prisoners under sentence aged 40 and over has risen from 18% in 2002 to 28% in 2009.³²⁴

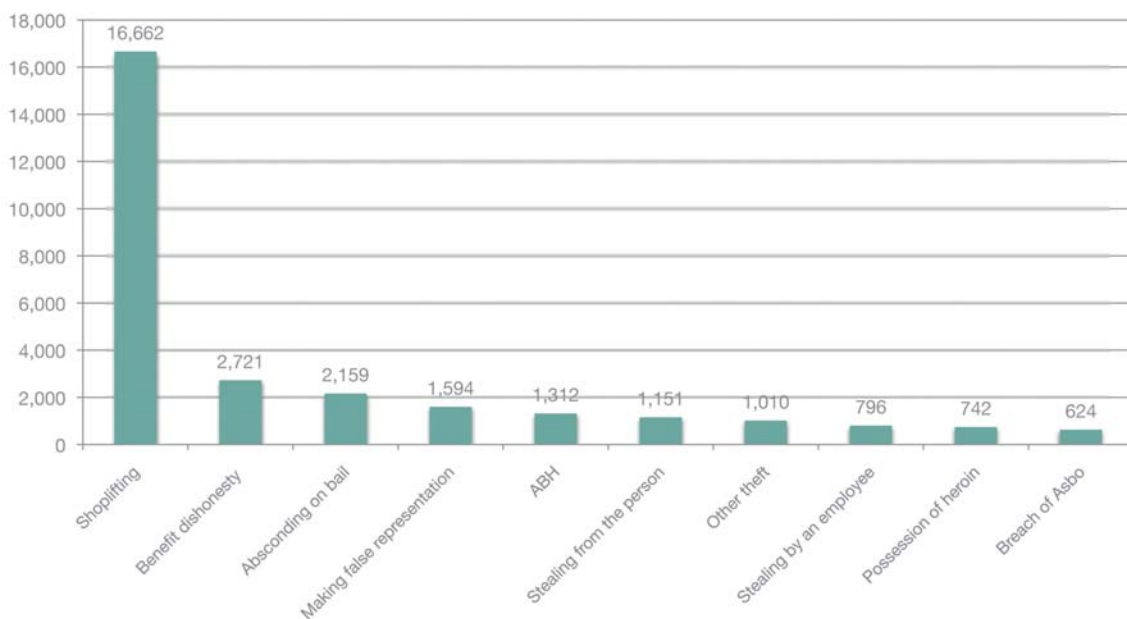
Around one-third of women prisoners lose their homes, and often their possessions, whilst in prison.³²⁵

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.³²⁶ Just 11% of women received help with housing matters.³²⁷

A Prisons Inspectorate survey found that 38% of women in prison did not have accommodation arranged on release.³²⁸ Only a third of women prisoners who wanted help and advice about benefits and debt received it.³²⁹

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%).³³⁰

Number of women, aged 18+, sentenced in all courts in 2009 for indictable offences*, 10 most common offences



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

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

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

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

322 Ibid.

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

324 Offender Management Caseload Statistics 2009, London: Ministry of Justice

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

326 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

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

328 Ibid.

329 Ibid.

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

In March 2007, the Corston review of vulnerable women in the criminal justice system, commissioned by Baroness Scotland, Minister of State, Home Office 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.’³³¹

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.³³²

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.³³³

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.³³⁴ The long-run value of these benefits is in excess of £100 million over 10 years.³³⁵

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’).³³⁶

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 stigmatization and discrimination that women face once released from prison.³³⁷

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

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

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

334 Ibid.

335 Ibid.

336 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

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

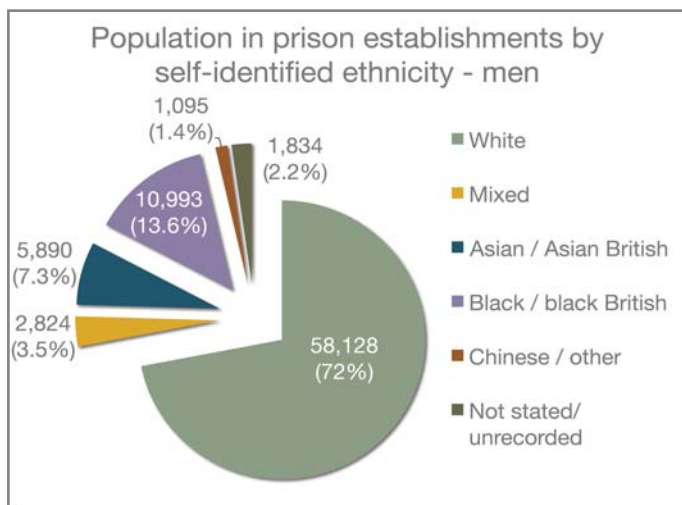
Minority ethnic prisoners

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%).³³⁸ This compares to one in 10 of the general population.³³⁹

Out of the British national prison population, 11% are black and 5% are Asian.³⁴⁰ For black Britons this is significantly higher than the 2.8% of the general population they represent.³⁴¹

In 2008/09, there were over seven times more police stop and searches of black people per head of population than of white people, and over twice as many stop and searches per head of population of asian people and people of mixed ethnicity.³⁴²

Overall black prisoners account for the largest number of minority ethnic prisoners (53%).³⁴³ Between 1999 and 2002 the total prison population grew by just over 12% but the number of black prisoners increased by 51%.³⁴⁴



At the end of June 2010, 32% of minority ethnic prisoners were foreign nationals.³⁴⁵

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

339 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

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

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

342 Ministry of Justice (2010) Statistics on Race and the Criminal Justice System 2008/09, London: Ministry of Justice

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

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

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

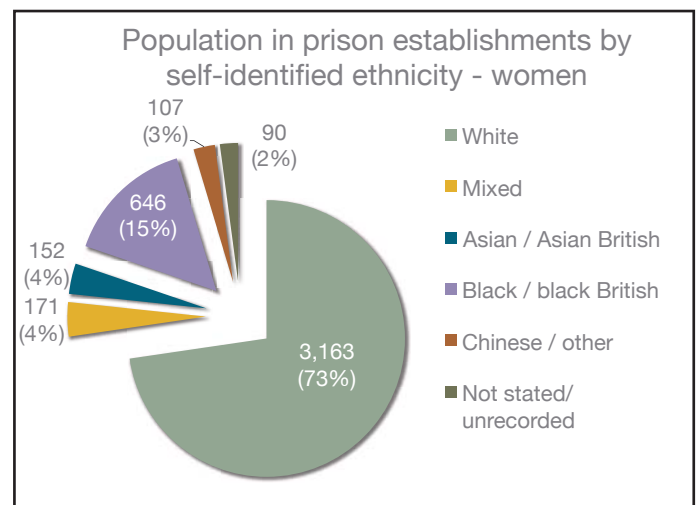
At the end of June 2010, 30% mixed, 29% white, 28% of Asian, 28% of black, and 15% of Chinese or other prisoners were serving a sentence for offences of violence against the person. 47% of Chinese or other prisoners, 26% of Asian, 25% of black, 19% of mixed, and 13% of white prisoners were serving sentences for drugs offences.³⁴⁶

There is now greater disproportionality in the number of black people in prisons in the UK than in the United States.³⁴⁷

In 2002 there were more African Caribbean entrants to prison (over 11,500) than there were to UK universities (around 8,000).³⁴⁸

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.³⁴⁹

White men were twice as likely as black men to agree that complaints are sorted out fairly in their prison.³⁵⁰ NOMS have accepted that this still remains a challenge.³⁵¹



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.³⁵²

346 A1.19, Ibid.

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

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

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

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

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

352 Ibid.

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.³⁵³

HM Inspectorate of Prisons finds that just under a quarter of Muslim prisoners said they felt unsafe, and over a third said they had been victimized by staff: both significantly higher than the findings for non-Muslims. Overall, Muslim prisoners' responses were significantly worse in 93 of 170 questions (while those of black and minority ethnic prisoners were worse in 89 questions).³⁵⁴

353 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

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

Foreign national prisoners

At the end of March 2011 there were 10,745 foreign national prisoners (defined as non-UK passport holders), 13% of the overall prison population.³⁵⁵

These prisoners come from 156 countries, but over half are from 10 countries (Jamaica, Republic of Ireland, Poland, Nigeria, Romania, Vietnam, Pakistan, Lithuania, Somalia, and India).³⁵⁶

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 2009.³⁵⁷

The total number of foreign nationals in prison nearly doubled (99%) between 2000 and 2010. This compares to a 20% increase in British nationals.³⁵⁸

Currently 16% of women in prison, 698, are foreign nationals, some of whom are known to have been coerced or trafficked into offending.³⁵⁹

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%.³⁶⁰

Those women sentenced for drugs importation are largely from Nigeria, Jamaica and South Africa.³⁶¹

16% of foreign national women imprisoned are there for fraud and forgery offences (usually possession of false documents).³⁶²

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.³⁶³

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.³⁶⁴

In 15 prisons, foreign national prisoners make up a quarter or more of the population.³⁶⁵ In 2006, two prisons, Canterbury and Bullwood Hall were reserved for a foreign national population.

Since 2007 the UK Border Agency has removed or deported over 15,000 foreign national offenders.³⁶⁶ In 2010 5,235 foreign national prisoners were removed or deported from the UK.³⁶⁷

The government has said it is 'committed to exploring ways of removing [foreign national prisoners] even earlier'.³⁶⁸

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.³⁶⁹

On 5 July 2010, 581 foreign national prisoners were being held in prison under immigration powers after completion of their sentences.³⁷⁰

355 Table 1.5, Ministry of Justice (2011) Offender Management Statistics Quarterly Bulletin, October to December 2010, London: Ministry of Justice

356 Ibid.

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

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

359 Table 1.5, Ministry of Justice (2011) Offender Management Statistics Quarterly Bulletin, October to December 2010, London: Ministry of Justice

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

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

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

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

364 Ibid.

365 Table 1.4, Ministry of Justice (2011) Offender Management Statistics Quarterly Bulletin, October to December 2010, London: Ministry of Justice

366 Hansard HC, 4 March 2010, c1386W

367 Hansard HC, 17 May 2011, C140--

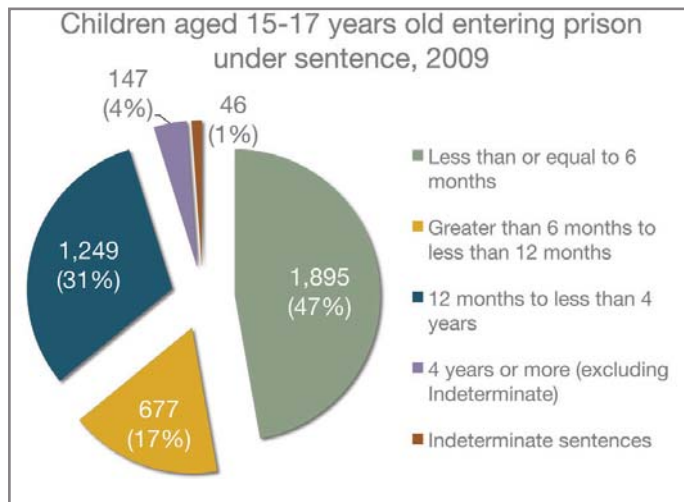
368 Hansard HC, 4 November 2010, c878W

369 Hansard HC, 1 November 2010, c510W

370 Hansard HC, 26 October 2010, c223W

Children in prison

At the end of April 2011 there were 1,890 children (under-18s) in custody – a decrease of 293 from the same point last year. There were 1,506 children held in young offender institutions, 251 in secure training centres and 132 in secure children’s homes.³⁷¹



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

In April 2011, there were 81 children aged 14 and under in the secure estate in England and Wales. 11 were aged 13 and four were aged 12.³⁷²

Between 1997-2007, the number of 10-14 year olds imprisoned in England and Wales increased by 295%.³⁷³

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.³⁷⁴

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 2000.³⁷⁵

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.³⁷⁶

371 Youth Justice Board (2011) Monthly Youth Custody Report - April 2011, London: Youth Justice Board

372 Figure 1, Ibid.

373 Hansard HC, 7 December 2009, c800W

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

375 Ibid.

376 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

In 2009, 349 children (under-18) with no previous convictions received a custodial sentence.³⁷⁷

At June 2010, 9% of children in prison (15-17) had no previous convictions.³⁷⁸

In 2008, 723 children (15-17) were imprisoned for breaching a court order.³⁷⁹ 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.³⁸⁰

22% of those children in custody aged 12, 13 and 14 received their sentence for a breach of a community intervention – such as an ASBO, a supervision order or a curfew. 28% had not committed a ‘serious or violent’ index offence and 9% were not persistent offenders.³⁸¹

During the period 1 April 2008 to 31 March 2009, 1,308 young people under 18 were remanded into custody for a period of seven days or less; and 173 were remanded for a period of seven days or less to the care of a local authority with a requirement that they be accommodated in secure conditions.³⁸²

In 2009, 50% of children who were remanded in custody were subsequently acquitted or given a community sentence.³⁸³

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.³⁸⁴

In 2009, more 17 year olds were received into prison on remand than under sentence.³⁸⁵

61% of young men and 65% of young women said that they had been in custody more than once, with 7% of young men having been in custody more than five times.³⁸⁶

Reconviction rates are very high for children (under-18s), 72% of those released from custody in 2008 reoffended within a year.³⁸⁷

377 Hansard HC, 7 December 2010, c208W

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

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

380 National Children’s Bureau (2010) *Children and young people in ‘breach’*

381 Ibid.

382 Hansard HC, 28 April 2009, c1263W

383 Hansard HC, 8 December 2010, c300W

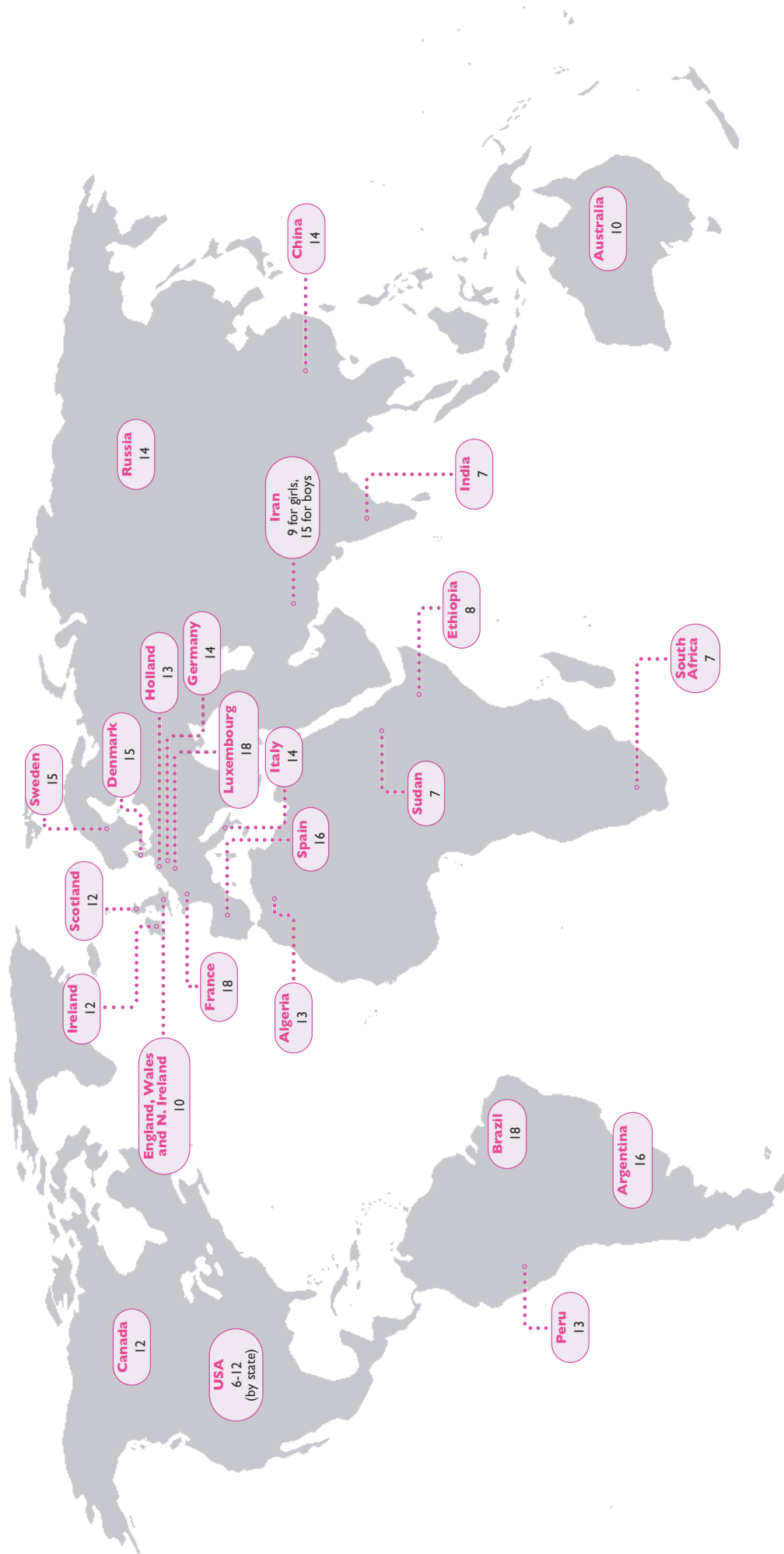
384 Hansard HC, 12 October 2009, c92W

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

386 Cripps, H. (2010) *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 and Youth Justice Board

387 Table A5, Ministry of Justice (2011) *Reoffending of juveniles: results from the 2009 cohort, England and Wales*, 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, and <http://www.scottish.parliament.uk/s3/bills/24-CrimIustLc/index.htm>

17% of prisoners interviewed for the *Surveying Prisoner Crime Reduction* study were arrested for the first time before their 13th birthday. Just over half (54%) were arrested for the first time before their 16th birthday.³⁸⁸

Incarceration is very expensive and uses up almost two-thirds (61%) of the Youth Justice Board's budget. It costs £160,000 per place in a secure training centre (STC)³⁸⁹ and £305.6 million is spent on the whole secure estate for children each year.³⁹⁰

Around half of children in prison were imprisoned for non-violent crimes.³⁹¹ On 30 June 2010 there were 78 15-17 year-olds in prison for theft and handling, 40 for breaching a court order, 7 for criminal damage and 5 for disorderly behaviour.³⁹²

71% of children in custody have been involved with, or in the care of, social services before entering custody. 75% of children in custody have lived with someone other than a parent at some time (compared with only 1.5% of children in the general population).³⁹³

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.³⁹⁴

40% of children in custody in England and Wales have previously been homeless.³⁹⁵

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.³⁹⁶ One in 10 girls in custody has been paid for sex.³⁹⁷

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 2005.³⁹⁸

41% of adult 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%).³⁹⁹

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.⁴⁰⁰ 38% of boys screened on admission in 2000-01 had the level expected of a seven-year-old in numeracy and 31% in literacy. 4% had levels lower than this in numeracy and literacy.⁴⁰¹

90% of young men and 75% of young women in prison have been excluded from school. 40% and 53% respectively said they were under 14 when they last attended school.⁴⁰²

Of children interviewed in prison, 13% reported being regular crack users, and 12% regular heroin users. Poly drug use was also high.⁴⁰³

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 2008-09.⁴⁰⁴

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.⁴⁰⁵

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.⁴⁰⁶

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

389 Hansard HC, 29 March 2010, c650W

390 Youth Justice Board (2010) Annual Report and Accounts 2009-10

391 Table A1.5, Ministry of Justice (2011) Offender Management

Caseload Statistics 2010, London: Ministry of Justice

392 Table a1.6 Offender Management Caseload Statistics 2009, London: The Stationery Office

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

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

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

396 Ibid.

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

398 Hansard HC, 28 March 2007, c1652W

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

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

401 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

402 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

403 Youth Justice Board (2004) Substance misuse and juvenile offenders 404 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

405 Chitsabesan et al (2006) Mental health needs of young offenders in custody and in the community, British Journal of Psychiatry Vol. 188, 534-540

406 Hagell, A. (2002) The mental health needs of young offenders, London: Mental Health Foundation

Prevalence of psycho-social and educational problems among a sample of 200 sentenced children.⁴⁰⁷

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%

In 2009 there were 315 recorded incidents of self-harm by girls in custody, and 754 by boys in custody.⁴⁰⁸

Children (15-17) in prison are 18 times more prone to take their own life than children of the same age in the community.⁴⁰⁹

11% of children in prison have attempted suicide.⁴¹⁰

Twenty-nine children have died in penal custody since 1990 most by self inflicted death but one following restraint.⁴¹¹

In August 2004, 14 year old Adam Rickwood became the youngest child to die in penal custody in recent memory.⁴¹²

There were 6,904 incidents of restraint in 2009/10, of which 257 (4%) resulted in injury.⁴¹³ This is a fall of 13% from 2008/09, in line with the overall reduction of the number of children held in custody.⁴¹⁴

31% of boys and 25% of girls in prison report having been physically restrained.

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.⁴¹⁵

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”.⁴¹⁶

For the period April 2007 to March 2009, 101 injuries were sustained by children during restraint at the privately run Medway STC.⁴¹⁷

In the last five years children in one secure training centre were restrained using handcuffs on 57 occasions.⁴¹⁸

Almost a third of prisoners involved in assaults classified as serious are children, despite children accounting for only 3% of the prison population.⁴¹⁹

31% of boys and 22% of girls have felt unsafe at some point in custody.⁴²⁰

In May 2009, the average distance from home for children (15-17) in custody was 53 miles. For young people in Secure Children’s Homes and Secure Training Centres it was 49 miles.⁴²¹

30% of young men (15-18) and 47% of young women 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.⁴²²

In 2009-2010, children in YOIs spent on average 15 hours each day locked in their cells.⁴²³

According to a Prisons Inspectorate and Youth Justice Board survey 91% of young men and 97% of young women said that they wanted to stop offending. 49% of sentenced young men and women 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. Both young men and young women felt that getting a job would be the most likely thing to stop them reoffending in the future.⁴²⁴

407 Table 6.1, Jacobson, J., et al (2010) Punishing Disadvantage: a profile of children in custody, London: Prison Reform Trust

408 Table 3, Ministry of Justice (2010), Safety in Custody 2009, London: Ministry of Justice

409 Fazel, S., Suicide in prison, The Lancet, vol 366, issue 9493, 8 October 2005

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

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

412 Allison, E. (2011), ‘Second inquest into death of youngest person to die in custody begins’, The Guardian, 10 January 2011

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

414 Table 5.1, Ibid.

415 http://www.howardleague.org/fileadmin/howard_league/user/pdf/Press/Press_2009/YOI_audit_17_August_2009.pdf

416 <http://www.independent.co.uk/news/uk/crime/restraint-used-on-young-offenders-is-too-harsh-2293213.html>

417 <http://www.howardleague.org/restraint/>

418 Hansard HC, 7 September 2010, c516W

419 Ministry of Justice (2010) Safety in Custody Statistics 2008

420 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

421 Hansard HC, 7 January 2010, c548W

422 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

423 Hansard HC, 24 May 2011, c569W

424 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

Young people in prison (18-20 year olds)

At the end of March 2011 there were 10,369 young people aged 18-20 in prison in England and Wales, up 5% on the previous year.⁴²⁵

At the end of March 2011 more young people were in prison for the offence of violence against the person than any other offence.⁴²⁶

In 2008 14,300 young people were sent to prison under sentence. In the last fifteen years the number of sentenced young adults entering prison has increased by 30%. Over that time the number of sentenced young women imprisoned has more than trebled.⁴²⁷

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.⁴²⁸

Between 1997 and 2007 the number of young adults that received a life sentence has increased by 40%.⁴²⁹

Nearly half (42%) of first time offenders are young adults.⁴³⁰

58% of young people released from custody in the first quarter of 2008 reoffended within a year.⁴³¹ 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.'⁴³²

Fewer than half the young people in surveys conducted by HM Prisons Inspectorate said that they had two or more visits a month.⁴³³

In May 2009 young people between 18 and 21 were held an average of 50 miles away from their home or committal court address.⁴³⁴

HM Chief Inspector of Prisons has commented that: 'these considerable distances from home compromises the resettlement and rehabilitation of young adults'.⁴³⁵

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.⁴³⁶

23% of young offenders have learning difficulties (IQ below 70) and 36% borderline learning difficulties (IQ 70-80%).⁴³⁷ At least 60% have difficulties with speech, language and communication that adversely affect their ability to participate in certain elements of the custodial regime.⁴³⁸

Just over a third (35%) of sentenced young men say they have gained a qualification whilst in prison.⁴³⁹

HM Prisons Inspectorate has found that too many young adult establishments have high levels of unemployment and poor quality work placements which did not provide vocational qualifications.⁴⁴⁰

An average of 3.8 hours per week is spent on physical education in young offender institutions in 2009-10.⁴⁴¹ An average of eight hours per week is spent on other educational activities.⁴⁴²

Young offender institutions and juvenile establishments have the highest assault rates of any prisons in England and Wales.⁴⁴³

425 Table 1.2, Ministry of Justice (2011) Offender Management Statistics Quarterly Bulletin, October to December 2010, London: Ministry of Justice. This figure includes some 21 year-olds who were aged 20 or under at conviction but have not been reclassified as part of the adult population

426 Ibid.

427 Home Office (1999) Prison Statistics England and Wales 1999, and Ministry of Justice (2009) Offender Management Caseload Statistics 2008, London: Ministry of Justice

428 Transition to Adulthood (2010) Why is the criminal justice system failing young adults? London: Transition to Adulthood

429 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

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

431 Hansard HC, 17 January 2011, c653W

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

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

434 Hansard HC, 7 January 2010, c548W

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

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

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

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

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

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

441 Hansard HC, 7 December 2010, c207W

442 Hansard HC, 19 July 2007, c592W

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

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.⁴⁴⁴

19% of prisoners surveyed by HM Inspectorate of Prisons reported having an alcohol problem when they entered their prison.

It was even higher among young adults (30%) and women (29%). These figures almost certainly underestimate the scale of the problem, as many of those with alcohol problems will fail to recognise or acknowledge them.⁴⁴⁵

37% of young offenders have a problem with alcohol and/or are regular binge-drinkers. In addition, 32% behave violently which is related to their alcohol abuse.⁴⁴⁶

Young adults account for 20% of individuals in prison who self-harm although they represent 12% of the population in custody.⁴⁴⁷

25% of men in young offender institutions are, or are shortly to become, fathers.⁴⁴⁸ It is estimated that four out of 10 young women in prison are mothers.⁴⁴⁹

According to the British Crime Survey, 16-24 year-olds are more likely than any other age group to become a victim of violent crime or a victim of theft.⁴⁵⁰

Up to 30% of young women in custody report having been sexually abused in childhood.⁴⁵¹
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

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

445 HM Chief Inspector of Prisons for England and Wales (2010) Alcohol services in prisons: an unmet need, London: HMCIP

446 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

447 Table 4, Ministry of Justice (2010) Safety in Custody Statistics 2009, London: Ministry of Justice and Table A1.1, Ministry of Justice (2011), Offender Management Caseload Statistics 2010, London: Ministry of Justice

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

449 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

450 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

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

their arrest.⁴⁵²

'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.'⁴⁵³

452 Ibid.

453 Lyon J, Dennison C, Wilson A (2000) 'Tell Them So They Listen. Messages from young people in custody,' Research study 201 London: Home Office

Older people in prison (aged 50 and over)

On 30 June 2010 there were 8,263 prisoners aged over 50 in England and Wales, including 2,849 aged 60 and over.⁴⁵⁴

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 2010.⁴⁵⁵

In 2008 there was one woman and 25 men in prison aged over 80.⁴⁵⁶ HM Inspectorate of Prisons noted that the oldest prisoner at HMP Hewell in November 2009 was 91.⁴⁵⁷

More than one in 10 older prisoners belong to a minority ethnic group, far higher than the proportion of the general population.⁴⁵⁸

41% of men in prison aged over 50 have been convicted of sex offences. The next highest offence is violence against the person (22%) followed by drug offences (13%). For women, the most common offence was violence against the person (30%).⁴⁵⁹

On 30 June 2010 there were 925 people aged 50 and over serving life sentences and 508 serving IPP sentences.⁴⁶⁰

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%.⁴⁶¹

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%.⁴⁶²

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.⁴⁶³

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'.⁴⁶⁴

Over 90% of prison staff 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.⁴⁶⁵

Some older prisoners will have a physical health status of 10 years older than their contemporaries in the community.⁴⁶⁶

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.⁴⁶⁷

The report expresses concern that some older people entering prison had the medication they were receiving in the community stopped.⁴⁶⁸

454 Prison Reform Trust, information from Offender Policy and Rights Unit, 1 July 2010

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

456 Hansard HC, 15 July 2009, c444W

457 HM Inspectorate of Prisons (2010) Report on an announced inspection of HMP Hewell, London: HMIP

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

459 Prison Reform Trust, information from Offender Policy and Rights Unit, 1 July 2010

460 Table A1.13, Ministry of Justice (2011), Offender Management Caseload Statistics 2010, London: Ministry of Justice

461 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

462 Ibid.

463 Ibid.

464 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

465 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.

466 Ibid.

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

468 Ibid.

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.⁴⁶⁹

HM Inspectorate of Prisons has identified ‘a complete lack of staff training in identifying the signs of mental health problems among the elderly.’⁴⁷⁰ Few prisons had a designated nurse for older prisoners.⁴⁷¹

In 2009, 68 people aged 50 and over died of natural causes whilst in prison.⁴⁷²

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.⁴⁷³

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.⁴⁷⁴

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.⁴⁷⁵

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.⁴⁷⁶

Prison staff identified the availability or lack of funding and the age or design of prison buildings as the main barriers to change.⁴⁷⁷

Four years after a thematic review of older prisoners, 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.’⁴⁷⁸

In 2010 HM Chief Inspector of Prisons noted that not all prisons had policies that reflected the specific needs of older men and women.⁴⁷⁹

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 2010.⁴⁸⁰

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

470 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

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

472 Table 3, Ministry of Justice (2010), Safety in Custody 2009, London: Ministry of Justice

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

474 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

475 Cooney, F. with Braggins, J. (2010) Doing Time: Good practice with older people in prison – the views of prison staff, London: Prison Reform Trust.

476 Ibid.

477 Ibid.

478 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

479 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

480 The National Children and Adult Services Conference, October 2010

Prisoners with learning disabilities and difficulties⁴⁸¹

20 – 30% of offenders have learning disabilities or difficulties that interfere with their ability to cope with the criminal justice system.⁴⁸² 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 of less than 80.⁴⁸³

23% of young offenders have very low IQs of below 70, and a further 36% have borderline learning difficulties.⁴⁸⁴ At least 60% have difficulties with speech, language and communication that adversely affect their ability to participate in certain elements of the custodial regime.⁴⁸⁵

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.⁴⁸⁶

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.⁴⁸⁷

Dyslexia is three to four times more common amongst prisoners than the general population.⁴⁸⁸

481 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.

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

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

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

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

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

487 Talbot, J. (2010) Seen and Heard: supporting vulnerable children in the youth justice system, London: Prison Reform Trust

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

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.⁴⁸⁹

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 to have access to the services of Criminal Justice Mental Health Teams, including: screening for vulnerable people and assessing their needs; sharing information with police to enable diversion; and signposting to local health and social care services.⁴⁹⁰

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.⁴⁹¹

489 Ibid.

490 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

491 Talbot, J. (2010) Seen and Heard: supporting vulnerable children in the youth justice system, London: Prison Reform Trust

Prisoners with learning disabilities or difficulties are unable to access prison information routinely; over two-thirds have difficulties reading prison information, which rises to four-fifths for those with learning disabilities. Over two-thirds have difficulties filling in prison forms, which rises to three-quarters for those with learning disabilities. Consequently many miss out on things such as family visits and going to the gym, or getting the wrong things delivered such as canteen goods. Over half say they have difficulties making themselves understood in prison, which rises to more than two-thirds for those with learning disabilities. Over two-thirds experience difficulties 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.'⁴⁹²

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'.⁴⁹³

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).'⁴⁹⁴

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

⁴⁹² 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

⁴⁹³ 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

⁴⁹⁴ Joint Committee on Human Rights (2007-08) *A life like any other? Human rights of adults with learning disabilities*, London: The Stationery Office

in question to undertake some type of offending behaviour work.

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

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

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

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

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

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

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

Youth offending team staff often do not know what specialist service provision is available, or what benefits access to such support might bring.⁴⁹⁵

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.⁴⁹⁶

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.

⁴⁹⁵ Talbot, J. (2010) *Seen and Heard: supporting vulnerable children in the youth justice system*, London: Prison Reform Trust

⁴⁹⁶ 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.’⁴⁹⁷

10% of men and 30% of women have had a previous psychiatric admission before they come into prison.⁴⁹⁸

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.⁴⁹⁹

According to Michael Spurr, then NOMS Chief Operating Officer, at any one time 10% of the prison population has ‘serious mental health problems’.⁵⁰⁰

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.⁵⁰¹

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.⁵⁰²

Women in prison are twice as likely to have an eating disorder as women in the general population.⁵⁰³

497 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

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

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

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

501 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.

502 The Offender Health Research Network (2009), *A National Evaluation of Prison Mental Health In-Reach Services*, Manchester: University of Manchester

503 Devitt, K., Knighton, L., and Lowe, K. (2009) *Young Adults Today*.

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.⁵⁰⁴

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.⁵⁰⁵

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.⁵⁰⁶

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.⁵⁰⁷

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.⁵⁰⁸

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.⁵⁰⁹

An NHS medium secure bed costs £481 per day. The majority of transfers are to medium secure care.⁵¹⁰ This compares with an average cost of £112 per prisoner per day.⁵¹¹

Key data on 16-25 year-olds, transitions, disadvantage and crime, London: Young People in Focus

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

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

506 Ibid.

507 Cockbain, E., and Brayley, H. (2011) *Briefing Document: CSE and Youth Offending*, Jill Dando Institute of Security and Crime Science, London: UCL

508 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

509 Hansard HL, 4 November 2010, cWA445

510 Ibid.

511 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.⁵¹²

In 2009, there were a total of 24,114 incidents of self-harm in prisons, with 6,977 prisoners recorded as having injured themselves. Women accounted for 43% of all incidents of self harm despite representing just 5% of the total prison population.⁵¹³

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.⁵¹⁴ Holloway, with a reported 2,256 self-harm incidents, recorded over 331 incidents in its worst month – averaging over 10 a day.⁵¹⁵

In 2009 there were 1,876 young people aged 20 or under who deliberately harmed themselves. This represents 26% of all individuals who self-harmed during that year.⁵¹⁶

26% of self-harm incidents occurred within the first month of arriving in a prison.⁵¹⁷ 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.⁵¹⁸

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.⁵¹⁹

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

513 Table 1, Ministry of Justice (2010) Safety in Custody Statistics 2009, London: Ministry of Justice

514 Ibid.

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

516 Table 4, Ministry of Justice (2010) Safety in custody statistics 2009, London: Ministry of Justice

517 Table 5, Ibid.

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

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

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.⁵²⁰

Black and minority ethnic groups are 40% more likely than average to access mental health services via a criminal justice system gateway.⁵²¹

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.⁵²²

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.⁵²³

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.⁵²⁴

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.⁵²⁵ 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.⁵²⁶

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%).⁵²⁷

520 Ibid.

521 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

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

523 Hansard HC, 27 March 2007, c1454W

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

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

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

527 Department of Health (2009) The Bradley Report, Lord Bradley's

75% of all prisoners have a dual diagnosis (mental health problems combined with alcohol or drug misuse).⁵²⁸ Yet HM Prisons Inspectorate found that dual diagnosis services remain patchy.⁵²⁹

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.⁵³⁰ Many people have a right to services under health and social care legislation.⁵³¹

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.’⁵³²

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 called for all police custody suites to have access to the services of Criminal Justice Mental Health Teams, including: screening for vulnerable people and assessing their needs; sharing information with police to enable diversion; and signposting to local health and social care services.⁵³³

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.⁵³⁴

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.⁵³⁵

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).’⁵³⁶

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.⁵³⁷

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.⁵³⁸

Speaking at the joint WI and Prison Reform Trust Care not Custody reception, Andrew Lansley said that “true justice for the vulnerable is about drawing them into treatment”.

report on people with mental health problems or learning disabilities in the criminal justice system, London: Department of Health

528 The Offender Health Research Network (2009), *A National Evaluation of Prison Mental Health In-Reach Services*, Manchester: University of Manchester

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

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

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

532 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

533 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

534 Ibid.

535 Ibid.

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

537 <http://www.thewi.org.uk/standard.aspx?id=14999>

538 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>

Prison suicides

There were 58 apparent self-inflicted deaths in custody in England and Wales in 2010. This is down from 61 in 2009.⁵³⁹

This figure includes the death of one woman, four young people aged 18-20 and no children.

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 2004.⁵⁴⁰ Safer custody programmes, improved drug detoxification and first night in custody schemes⁵⁴¹ are all thought to have contributed to this reduction.

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.⁵⁴²

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.⁵⁴³

Twelve self-inflicted deaths in 2009 occurred within the first seven days in prison.⁵⁴⁴

Remand prisoners, 16% of the prison population, accounted for 38% of self-inflicted deaths in 2009.⁵⁴⁵

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.⁵⁴⁶

Over 100 prisoners were resuscitated during 2007 after serious self-harm incidents.⁵⁴⁷

Approximately 30% of prisoners who take their own lives had no family contact prior to their deaths.⁵⁴⁸

According to the government's Social Exclusion Unit, more than 50 prisoners take their own lives shortly after release each year.⁵⁴⁹

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

539 Ministry of Justice (2011), Deaths in prison custody 2010 taken from <http://www.justice.gov.uk/news/press-releases/moj/press-release-020111a.htm>

540 Ibid.

541 Jacobson, J. et al (2007) There When You Need Them Most: pacts First Night in Custody Services, London: Prison Reform Trust

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

543 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

544 Table 7, Ministry of Justice (2010) Safety in custody statistics 2009, London: Ministry of Justice

545 Table 8, Ministry of Justice (2010), Safety in Custody Statistics 2009, London: Ministry of Justice

546 Ryan-Mills, D. (2010) Review: fatal incidents reports from September 2008 to August 2009, London: Prisons and Probation Ombudsman for England and Wales

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

548 NOMS, Safer Custody News, January/February 2010

549 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. Musculo-skeletal and respiratory complaints were most commonly reported.⁵⁵⁰

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, 15% of prisoners reported having a disability.⁵⁵¹

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.⁵⁵²

People with disabilities reported worse experiences than other prisoners in response to 130 out of 190 questions on Inspectorate surveys, although they were often more positive about healthcare. This indicates that disability is still seen largely as a healthcare issue.⁵⁵³

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.⁵⁵⁴

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: Allocation of prisoners with disabilities.

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.'⁵⁵⁵

550 Stewart, D. (2008) The problems and needs of newly sentenced prisoners: results from a national survey, London: Ministry of Justice
551 HM Chief Inspector of Prisons for England and Wales (2009), Disabled prisoners: A short thematic review on the care and support of prisoners with a disability, London: HM Inspectorate of Prisons
552 HM Chief Inspector of Prisons for England and Wales (2009) Annual Report 2007-08, London: HM Inspectorate of Prisons
553 HM Chief Inspector of Prisons for England and Wales (2010), Annual Report 2008-09, London: The Stationery Office
554 HM Chief Inspector of Prisons for England and Wales (2008) Annual Report 2006-07, London: HM Inspectorate of Prisons
555 HM Chief Inspector of Prisons for England and Wales (2010),

Fewer than one in 10 youth offending team (YOT) staff said there was somebody at their YOT who carried responsibility for children with disabilities.⁵⁵⁶

Half of all those sentenced to custody are not registered with a GP prior to being sent to prison.⁵⁵⁷

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%).⁵⁵⁸

Prior to imprisonment 85% of women were smokers, 75% had used illegal drugs and 40% drank alcohol in excess of the recommended limits.⁵⁵⁹

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.⁵⁶⁰

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.⁵⁶¹

105 people died from natural causes in prison custody in England and Wales during 2009.⁵⁶²

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.⁵⁶³

Annual Report 2008-09, London: The Stationery Office

556 YOT report

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

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

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

560 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

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

562 Table 2, Ministry of Justice (2010), Safety in Custody Statistics 2009, London: Ministry of Justice

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

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.⁵⁶⁴

Across the prison estate only 40% of prisoners participate in exercise.⁵⁶⁵

In nearly half of establishments holding young men aged 15–18 years-of-age, the proportion of boys able to exercise outside daily was 10% or less.⁵⁶⁶

77% of boys and 90% of girls (15-18) reported visiting the gym once, or more than once a week.⁵⁶⁷

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.⁵⁶⁸

An average of £2.20 per day was spent on food and drink per prisoner in 2010-11 financial year.⁵⁶⁹

The average time out of cell for each prisoner was 10 hours in 2005-06, a fall from 11.2 in 1996-97.⁵⁷⁰ However, the Prisons Inspectorate maintain that this is likely to be an overestimate, and that official figures “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”.⁵⁷¹

48% of young men and 69% of young women (15-18) said they had periods of association more than five times a week.⁵⁷²

In Prisons Inspectorate surveys, fewer than 20% of men reported spending the mandated 10 hours out of their cell on a week day.⁵⁷³

564 Ryan-Mills, D. (2010) Review: fatal incidents reports from September 2008 to August 2009, London: Prisons and Probation Ombudsman for England and Wales

565 House of Commons Committee of Public Accounts (2006), Serving time: prisoner diet and exercise, 56th Report of Session 2005-06, London: The Stationery Office

566 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

567 Ibid.

568 Hansard HC, 29 January 2008, c304W and Hansard HC, 7 December 2010, c207W

569 Hansard HC, 26 April 2011, c171W

570 Hansard HC, 9 January 2007, c543W

571 HM Inspectorate of Prisons (2008) Time Out of Cell Thematic Review, London: The Stationery Office

572 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

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

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.⁵⁷⁴

In March 2010, 1,973 prison places did not have in-cell sanitation or open access to toilet facilities.⁵⁷⁵

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.⁵⁷⁶

Investment in prison healthcare in 2009-10 stood at £201.4 million, this has increased from £118 million in 2002-03.⁵⁷⁷

56% of young men and 72% young women (15-18) reported that the quality of prison healthcare was either good or very good.⁵⁷⁸

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

575 Hansard HC, 7 December 2010, c204W

576 Prison Reform Trust and National AIDS Trust (2005), HIV and Hepatitis in UK Prisons: Addressing Prisoners' Healthcare Needs, London: Prison Reform Trust

577 Hansard HL, 24 June 2009, c292W and Hansard, HC, 19 June 2007, c1709W

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

Drugs

In 2010, 15% of men and 24% of women in prison were serving sentences for drug offences.⁵⁷⁹

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.⁵⁸⁰

81% of arrestees who used heroin and/or crack at least once a week said they committed an acquisitive crime in the previous 12 months, compared with 30% of other arrestees. 31% reported an average of at least one crime a day, compared with 3% of other arrestees.⁵⁸¹

In 20% of violent crimes reported to the 2009-10 British Crime Survey, the victim believed that the offender was under the influence of drugs. More than a quarter (25%) of robbery victims believed their attacker to be under the influence of drugs.⁵⁸²

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).⁵⁸³

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.⁵⁸⁴

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.⁵⁸⁵

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.⁵⁸⁶

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 reception⁵⁸⁷ and in the local women's prison, Styal, the same number of new arrivals are thought to have drug problems.⁵⁸⁸

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.⁵⁸⁹

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).⁵⁹⁰

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).⁵⁹¹

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.⁵⁹²

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.⁵⁹³

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

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

581 UK Drug Policy Commission (2008) Reducing drug use, reducing reoffending, London: UKDPC

582 Flatley, J., et al. (2010), Crime in England and Wales 2009/10, London: Home Office

583 UK Drug Policy Commission (2008) Reducing drug use, reducing reoffending, London: UKDPC

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

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

586 Ibid.

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

588 HM Prisons Inspectorate (2004) Report on a full unannounced inspection of HMP and YOI Styal 19-23 January 2004, London: Home Office

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

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

591 Ibid.

592 Singleton et al (2005) The impact and effectiveness of Mandatory Drugs Tests in prison, Findings 223 London: Home Office

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

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.⁵⁹⁴

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.⁵⁹⁵

All prisoners are subject to random mandatory drug tests. In 2009/10 7.8% of the prison population tested positive from random mandatory drug tests compared with 9.3% in 2008/09.⁵⁹⁶ But a Home Office study found that 'mandatory drug testing results generally underestimate the level of drug misuse as reported by prisoners'.⁵⁹⁷

Research has found that arrangements for detoxification appear to vary considerably between different prisons.⁵⁹⁸

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.⁵⁹⁹

Analysis shows that drug treatment programmes in prison, especially psycho-social programmes and therapeutic communities, were associated with a 26% reduction in criminal behaviour.⁶⁰⁰

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.⁶⁰¹

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.⁶⁰²

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

595 Prison Reform Trust (2008) Titan prisons: a gigantic mistake, London: Prison Reform Trust

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

597 Singleton et al (2005) The impact and effectiveness of Mandatory Drugs Tests in prison, London: Home Office

598 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

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

600 National Offender Management Service (2010) What works with offenders who misuse drugs?, London: MoJ

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

602 Hansard HC, 21 December 2010, c1166W

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.⁶⁰³

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.⁶⁰⁴

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'.⁶⁰⁵

A Home Office study found that the risk of death for men released from prison is forty times higher in the first week of release than for the general population. This is ascribed largely to drug-related deaths. 342 deaths were recorded among their sample group of men in the year after release whereas in a sample matched for age and gender in the general population, only 46 deaths would be expected.⁶⁰⁶

Offenders who receive residential drug treatment are 45% less likely to reoffend after release than comparable offenders receiving prison sentences.⁶⁰⁷

603 National Audit Office (2002) Reducing reoffending, London: National Audit Office

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

605 Ibid.

606 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

607 Matrix Knowledge Group (2007) The economic case for and against prison, London: Matrix Knowledge Group

Alcohol

In half of violent crimes (50%) the victim believed the offender or offenders to be under the influence of alcohol.⁶⁰⁸

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.⁶⁰⁹

According to HM Chief Inspector of Prisons the level of alcohol use on entering custody was not properly assessed in many prisons.⁶¹⁰

19% of prisoners surveyed by HM Inspectorate of Prisons reported having an alcohol problem when they entered their prison. It was even higher among young adults (30%) and women (29%). These figures almost certainly underestimate the scale of the problem, as many of those with alcohol problems will fail to recognise or acknowledge them.⁶¹¹

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.⁶¹²

Over a quarter of those who came into prison with only an alcohol problem said that they were likely to leave with a drug problem, suggesting that in the absence of either alcohol or treatment, a new dependency had been created. 60% said they would leave with an ongoing alcohol problem.⁶¹³

Alcohol use is accepted as a key risk factor in predicting violent reoffending.⁶¹⁴

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.⁶¹⁵

608 Flatley, J. et al. (2010), *Crime in England and Wales 2009/10*, London: Home Office

609 Prison Reform Trust (2004) *Alcohol and reoffending: who cares?* London: PRT

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

611 HM Chief Inspector of Prisons for England and Wales (2010) *Alcohol services in prisons: an unmet need*, London: HMCIP

612 Ibid.

613 Ibid.

614 Ibid.

615 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%).⁶¹⁶

HM Inspectorate of Prisons has found that a considerable number of establishments have no alcohol strategy. Where strategies existed, inspections often found them inadequate.⁶¹⁷

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.⁶¹⁸

Misuse of alcohol and irresponsible drinking result in economic and social costs in the region of £12-18 billion per year.⁶¹⁹

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.⁶²⁰

Children who have begun binge drinking by the age of 16 are 90% more likely to have criminal convictions by the age of 30.⁶²¹

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.’⁶²²

and analysis, London: Ministry of Justice

616 Ibid.

617 HM Chief Inspector of Prisons for England and Wales (2010) *Alcohol services in prisons: an unmet need*, London: HMCIP

618 Ibid.

619 Home Office (2009), *Home Office Departmental Report 2009*, London: The Stationery Office

620 Home Office, *Alcohol-related crime and disorder, 2005*

621 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

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

Housing and employment

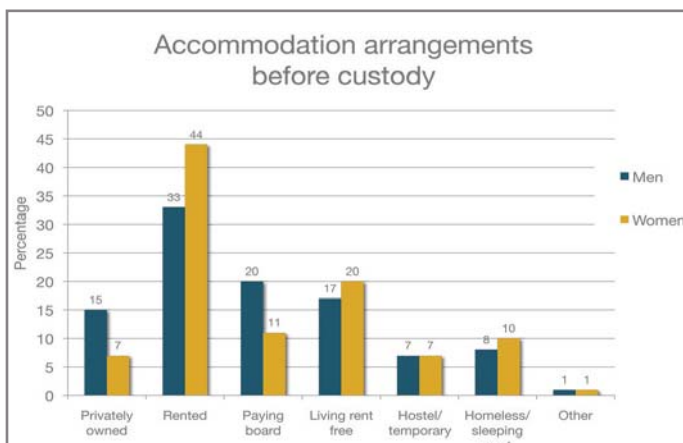
15% of men, 19% of women and 10% of young people were not in permanent accommodation before entering custody. 8% of men, 10% of women and 6% of young people were sleeping rough.⁶²³

Prior to entering prison, 63% of prisoners were renting from a local authority or housing association.⁶²⁴

12% of prisoners depend on housing benefit to help with their rent before they enter custody.⁶²⁵

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.⁶²⁶ This is despite the fact that stable accommodation can reduce reoffending by over 20%.⁶²⁷



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%).⁶²⁸

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

624 Ibid.

625 Ibid.

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

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

628 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.⁶²⁹

People serving short prison sentences are two to three times more likely to reoffend if they do not have suitable housing.⁶³⁰

35% of young people aged 16-25 felt a lack of accommodation was the factor most likely to make them offend.⁶³¹

In surveys by HM Inspectorate of Prisons, half of those leaving local prisons and only slightly fewer leaving women's prisons thought they would have difficulty in finding accommodation on release. Prisoners from Wales could rely on the guarantee of accommodation provided by the Welsh Assembly.⁶³²

Fewer women than men in prison were returning to rented or owned property and more to temporary accommodation with family and friends.⁶³³

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.⁶³⁴

Prisoners held in large prisons are much less likely to receive help arranging accommodation than those held in small prisons.⁶³⁵

130 out of 137 prisons have access to housing advice services, but in a 2006 survey only 56% reported that their accommodation advice service could meet demand.⁶³⁶

18% of clients in an average homelessness project are prison leavers.⁶³⁷

629 Homeless Link (2009) *Criminal justice policy briefing*, London: Homeless Link

630 Ibid.

631 Ibid.

632 HM Chief Inspector of Prisons for England and Wales (2010) *Annual Report 2008-09*, London: The Stationery Office

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

634 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

635 Prison Reform Trust (2008) *Titan prisons: a gigantic mistake*, London: Prison Reform Trust

636 Homeless Link (2009) *Criminal justice policy briefing*, London: Homeless Link

637 Ibid.

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.⁶³⁸

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.⁶³⁹

Homelessness can also prevent former prisoners from accessing support services such as benefits or registering with a GP.⁶⁴⁰

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.⁶⁴¹

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.⁶⁴²

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.⁶⁴³

Around two-thirds of those who do have a job lose it whilst in custody.⁶⁴⁴

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.⁶⁴⁵

638 Revolving Doors Agency (2002) *Where Do They Go? Housing, Mental Health and Leaving Prison*, London: Revolving Doors

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

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

641 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

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

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

644 Home Office (2001) *Through the Prison Gate: a joint thematic review by HM Inspectorates of Prisons and Probation*, London: Stationery Office

645 Chartered Institute of Personnel and Development, Labour Market

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%).⁶⁴⁶

In 2009-10, 25% of men and 20% of women entered employment on release from prison.⁶⁴⁷

58% of women and 53% of men in prison identified unemployment and lack of skills as issues contributing to their offending.⁶⁴⁸

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.⁶⁴⁹

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.⁶⁵⁰

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%).⁶⁵¹

The government announced its intention to reform the *Rehabilitation of Offenders Act (1974)* in the recent Ministry of Justice green paper.⁶⁵²

Outlook, Summer 2005

646 Prison Reform Trust (2008) *Titan prisons: a gigantic mistake*, London: Prison Reform Trust

647 Table 25, Ministry of Justice (2011) *National Offender Management Service Annual Report 2009/10: Management Information Addendum*, London: Ministry of Justice

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

649 Stewart, D. (2005) *An evaluation of basic skills training for prisoners*, Home Office Findings 260, London: Home Office

650 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

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

652 Ministry of Justice (2010) *Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders*, London: Ministry of Justice

Education and skills

48% of prisoners are at, or below, the level expected of an 11 year old in reading, 65% in numeracy and 82% in writing.⁶⁵³ Nearly half those in prison have no qualifications at all.⁶⁵⁴

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.⁶⁵⁵ **41% of men, 30% of women and 52% of young offenders were permanently excluded from school.**⁶⁵⁶

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.⁶⁵⁷

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.⁶⁵⁸

In the 2008-09 academic year, there were 98,324 prisoners engaged in learning and skills in custody.⁶⁵⁹

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.⁶⁶⁰

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.⁶⁶¹

The National Audit Office has found that only around a fifth of prisoners with serious literacy or numeracy needs enroll on a course that would help them.⁶⁶²

653 Hansard HC, 9 January 2007, c548W

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

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

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

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

658 Ibid.

659 Hansard HC, 25 October 2010, c38W

660 Ibid.

661 Hansard HC, 18 January 2011, c687W

662 House of Commons Committee of Public Accounts (2008) *Meeting needs? The Offenders' Learning and Skills Service*, London: The Stationery Office

Research by NATFHE and the Association of College Lecturers has found that only one third of education managers regularly receive prisoners' records following transfers.⁶⁶³

Ofstead's latest annual report on education in England states its serious concern at the worsening performance of learning and skills provision in prisons. Five out of the 27 prisons and young offender institutions inspected were judged to be inadequate for learning and skills compared with two in 2008/09. In addition, no prisons have been judged outstanding for the overall effectiveness of their learning and skills, whereas 2008/09 saw the first prison achieve this overall judgement.⁶⁶⁴

The Social Exclusion Unit found that basic skills learning can contribute to a reduction in reoffending of around 12%.⁶⁶⁵ 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.⁶⁶⁶

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.⁶⁶⁷

Just 36% of people leaving prison go into education, training or employment.⁶⁶⁸

663 Braggins, J. (2002) *Shared Responsibilities: Education for prisoners at a time of change*, London: NATFHE

664 Ofstead (2010) *The Annual Report of Her Majesty's Chief Inspector of Education, Children's Services and Skills 2009/10*, London: The Stationery Office

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

666 House of Commons Education and Skills Committee, *Prison Education, Seventh Report of Session 2004-2005*

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

668 Hansard, HC, 23 March 2010, c115

Financial exclusion

Assessments for 2007 suggest over 23,000 offenders had financial problems linked to their offending.⁶⁶⁹

A Cabinet Office study found that 28% of women offenders' crimes were financially motivated, compared to 20% of men.⁶⁷⁰

In 2010, HM Chief Inspector of Prisons said that 'finance, benefit and debt remained one of the weakest resettlement pathways, often focusing on little more than closing down tenancies and ensuring that benefits were discontinued.'⁶⁷¹

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.⁶⁷²

48% of people in prison have a history of debt which can present problems for both prisoners and families on release.⁶⁷³

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.⁶⁷⁴

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).⁶⁷⁵

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.⁶⁷⁶

HM Prisons Inspectorate has found that debt advice has reduced in many prisons over the year 2008-09.⁶⁷⁷

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.⁶⁷⁸

Only 5% of people in prison said they had been asked about how their families would cope financially while in prison.⁶⁷⁹

One significant area of need for people leaving prison is insurance.⁶⁸⁰ 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.⁶⁸¹

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.⁶⁸²

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.'⁶⁸³ A recommendation to close this 'benefit gap' was made to the Prime Minister by the Social Exclusion Unit in 2002.⁶⁸⁴

Just 36% of people on release from prison go into education, training or employment, leaving most former offenders in need of support.⁶⁸⁵

669 Home Office (2005) The National Reducing Re-offending Delivery Plan, London: Home Office

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

671 HM Chief Inspector of Prisons for England and Wales (2010), Annual Report 2008-09, London: The Stationery Office

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

673 National Offender Management Service (2007) Signposting Offenders to Financial Capability Training, Debt Advice and Financial Services, London: Ministry of Justice

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

675 Ibid.

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

677 HM Chief Inspector of Prisons for England and Wales (2010), Annual Report 2008-09, London: The Stationery Office

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

679 Ibid.

680 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>

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

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

683 Ibid.

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

685 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.⁶⁸⁶ 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.’⁶⁸⁷

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.⁶⁸⁸

A survey carried out in June 2009 recorded 482 prisoners held in England and Wales working outside prisons in a variety of employment and work experience placements.⁶⁸⁹

For 10 years, the average rate of pay for employed prisoners has been £8 per week. The Prison Service sets a minimum rate of pay which is currently £4.00 per week but each prison has devolved responsibility to enable it to set its own pay rates.⁶⁹⁰

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.⁶⁹¹

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.⁶⁹²

686 House of Commons Home Affairs Committee (2005) Rehabilitation of Prisoners, First Report of Session 2004-2005, London: The Stationery Office.

687 Hansard HC, 19 October 2010, c793

688 Ibid.

689 Hansard HC, 11 October 2010, c149W

690 Hansard HC, 23 March 2007.

691 House of Commons Home Affairs Committee (2005) Rehabilitation of Prisoners, First Report of Session 2004-2005, London: The Stationery Office.

692 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.⁶⁹³

A 2004 Prison Reform Trust Report found that about one in six had a prison council.⁶⁹⁴ Six years later, more than half of prisons now have a council, and the number is growing each year.⁶⁹⁵

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.⁶⁹⁶

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.⁶⁹⁷

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.⁶⁹⁸

There were 61,410 Listeners contacts during 2008.⁶⁹⁹

There is considerable scope to develop more opportunities for volunteering, peer support, representation and prisoner councils.⁷⁰⁰

693 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

694 Solomon, E., and Edgar, K. (2004) Having Their Say: The Work of Prisoner Councils, London: Prison Reform Trust

695 Edgar, K. et al (2011) Time Well Spent: A practical guide to active citizenship and volunteering in prison, London: Prison Reform Trust

696 Ibid.

697 Ibid.

698 NOMS, Safer Custody News, September/October 2009

699 Ibid.

700 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.⁷⁰¹

The European Court of Human Rights rejected an attempt to overturn an earlier ruling that prisoners should get the vote. The Court has given the UK government until 11 October 2011 to introduce legislative proposals to bring the law in line with the European Convention.

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).⁷⁰²

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).

Prisoners with learning disabilities and difficulties are discriminated against personally, systemically and routinely as they enter and travel through the criminal justice system.⁷⁰³

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.

The Corporate Manslaughter and Corporate Homicide Act sets out a new offence for convicting an organisation where a gross failure in the way activities were managed or organised results in a person's death. The majority of the Act was implemented on 6 April 2008, with the exception of section 2(1)(d) (due to be enacted by summer 2011) which makes the duty of care a custody provider owes to a person who is detained a relevant duty of care.⁷⁰⁴

The government announced its intention to reform the Rehabilitation of Offenders Act (1974) in the recent Ministry of Justice green paper.⁷⁰⁵

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.⁷⁰⁶

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.⁷⁰⁷

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.⁷⁰⁸

NOMS has no formal policy regarding sexual orientation issues and no national system for reporting homophobic incidents. NOMS may now be in breach of equalities legislation.⁷⁰⁹

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.⁷¹⁰

704 Hansard HC, 18 March 2011, c37WS

705 Ministry of Justice (2010) Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders, London: Ministry of Justice

706 Ministry of Justice (2008) Race Review 2008, implementing race equality in prisons – five years on, London: National Offender Management Service

707 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

708 Ibid.

709 Ibid.

710 Ryan-Mills, D. (2010) Review: fatal incidents reports from September 2008 to August 2009, London: Prisons and Probation Ombudsman for England and Wales

701 <http://www.prisonreformtrust.org.uk/subsection.asp?id=839>

702 Ibid

703 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

In 2009 there were 12,147 recorded prisoner on prisoner assaults, a rise of 69% since 2000, and 2,645 recorded prisoner on officer assaults.⁷¹¹

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.⁷¹²

Between February 2009 and January 2010, 4,461 mobile phones and 4,325 SIM cards were sent to a central prison service unit for analysis. Justice minister Maria Eagle added that 'these figures understate the actual number of finds'.⁷¹³

In 2010 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 2010.⁷¹⁴

The Prison Service is faced with high sickness levels amongst prison officers. The average number of working days lost due to staff sickness in 2009-10 was 10.5.⁷¹⁵

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.⁷¹⁶

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%.⁷¹⁷

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.⁷¹⁸

The average tenure for governing governors in an establishment is 2.4 years.⁷¹⁹

In 2009 the average tenure for operational managers in an establishment is 5.8 years.⁷²⁰

By In 2008/09 the number of minority ethnic staff in the Prison Service overall was 5%.⁷²¹

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.⁷²²

Stonewall's 2008 workplace equality index ranked the Prison Service as 17th in Britain's top 100 employers for lesbian, gay, bisexual and transgendered people.⁷²³

711 Table 8 (Assaults), Ministry of Justice (2010) Safety in Custody Statistics 2009, London: Ministry of Justice

712 Prison Reform Trust (2008) Titan prisons: a gigantic mistake, London: Prison Reform Trust

713 Hansard HC, 5 March 2010, c1484W

714 Michael Spurr, CEO NOMS, Perrie Lecture 2011

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

716 Hansard HC, 23 February 2010 c501W

717 Hansard HC, 27 October 2009 c336W

718 Hansard HC, 31 January 2003 c1091W

719 Hansard HC, 2 November 2009 c746W

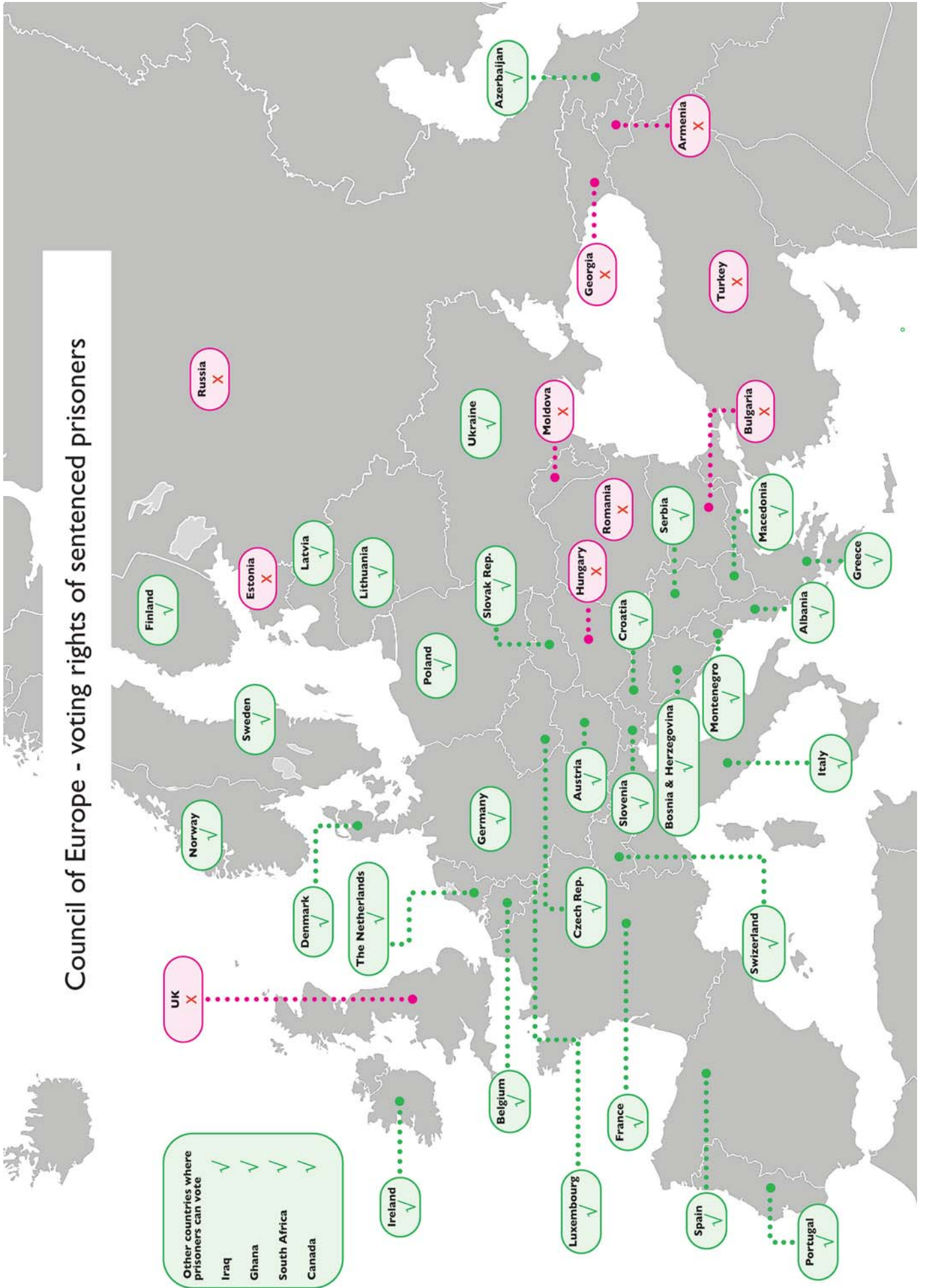
720 Hansard HC, 23 February 2010, c509W

721 Ministry of Justice (2010), Statistics on Race and the Criminal Justice System 2008/09 London: Ministry of Justice

722 Prison Reform Trust (2006) Briefing: Experiences of Minority Ethnic Employees in Prisons, London: Prison Reform Trust

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

Council of Europe - voting rights of sentenced prisoners



This chart is drawn from available international government sources and is subject to amendment.

Private prisons⁷²⁴

The UK has the most privatised prison systems in Europe. In England and Wales nearly 10,000 prisoners (11.6 % of the prisoner population) are held in private prisons.⁷²⁵ This is a higher proportion than in the US, where the figure is around 9%.

The recent announcement of the privatisation of HMP Birmingham and the new private Featherstone 2 will take the total number of private prisons in England and Wales from 11 to 13, holding up to 14% of the total prison population.

Private prison contracts are shared between just three companies: Serco operates, Ashfield, Dovegate, Lowdham Grange and Doncaster; G4S operates Altcourse, Birmingham (from October 2011), 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.⁷²⁶

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.⁷²⁷ The contract for the Belmarsh West prison was signed on 30 June 2010 and construction has started. The estimated construction cost is £97 million.⁷²⁸

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.⁷²⁹

The operating costs of privately managed prisons in 2008-09 was £309.0 million.⁷³⁰

When questioned whether the government proposes to reduce the running costs of contracted-out prisons at the same level as reductions being made in the public prison service, Lord Bach, then parliamentary under-secretary of state, Ministry of Justice replied: ‘services provided by prisons run by private sector operators are stipulated and priced within a contract and therefore cannot be varied in the same way as public sector prisons, without agreement between the authority and the contractor.’⁷³¹

According to a parliamentary written answer⁷³², 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.⁷³³

In 2006, basic pay for private sector custody officers was 39% less than their public sector equivalents. Taking a valuation of benefits such as pensions and holidays into account, the public sector advantage rose to 61%.⁷³⁴

An average of 40% of private sector staff have over five years’ service.⁷³⁵ High staff turnover remains a problem in a number of private prisons.

⁷²⁴ 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

⁷²⁵ Ministry of Justice (2011) Prison Population Monthly Bulletin March 2011, London: Ministry of Justice

⁷²⁶ Taken from G4S website at <http://www.g4s.com/en/Media%20Centre/News/2011/03/31/HMP%20Birmingham%20and%20Featherstone%20/>

⁷²⁷ Serco, (2010) Stock exchange announcement, 26 February 2010

⁷²⁸ Hansard HC, 8 September 2010, c584W

⁷²⁹ Ministry of Justice (2011) National Offender Management Service Annual Report 2009/10: Management Information Addendum, London: Ministry of Justice

⁷³⁰ Hansard HC, 9 December 2009, c453W

⁷³¹ Hansard HL, 14 December 2009, cWA179

⁷³² Hansard HC, 9 January 2007, c546W

⁷³³ Hansard HC, 15 September 2010, c1037W

⁷³⁴ Prison Service Pay Review Body, Privately Managed Custodial Service, September 2006

⁷³⁵ Hansard HC, 1 March 2007, c1510W

Private prison staff turnover:⁷³⁶

Prison	2006	2005	2004	2003	2002
Altcourse	5	11	9	10	(1)
Ashfield	19.5	29.4	(1)	34.6	(1)
Bronzefield	17.2	30.5	27.2	(2)	(2)
Doncaster	14.6	17.9	19.8	9.1	(1)
Dovegate	21.7	22.3	41.5	43.9	(1)
Forest Bank	19.8	25.5	25.5	25.3	22.7
Lowdham Grange	30.2	24.7	29.1	30.9	(1)
Parc	12.9	19.4	16.2	27.1	23.1
Peterborough	29.2	18.8	(3)	(3)	(3)
Rye Hill	15	39	27	36	(1)
Wolds	10	11	11	8	(1)

In 2006 resignations of prison custody officer and detention custody officers in the private sector averaged 24%, with very large variations between establishments.⁷³⁷

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.⁷³⁸

Healthy prison and establishment assessments by HM Inspectorate of Prisons between 1 September 2008 and 31 August 2009:⁷³⁹

Prison	Safety	Respect	Purposeful activity	Resettlement
Parc	3	2	2	3
Ashfield	3	3	4	3
Peterborough (f)	3	2	3	2
Peterborough (m)	3	2	3	3
Dovegate (B)	3	3	3	2
Lowdham Grange	3	3	3	2
Dovegate TC	3	3	3	2

4 - exceptional performance
 3 - good performance
 2 - requiring development

Private prisons' performance in the fourth quarter of 2009-10 according to the most recent Prison Service performance ratings was as follows:⁷⁴⁰

Prison	Previous qtr	Qtr 4
Altcourse	4	3
Ashfield	3	3
Bronzefield	3	3
Doncaster	2	3
Dovegate	3	3
Forest Bank	3	3
Lowdham Grange	4	4
Parc	3	3
Peterborough	2	2
Rye Hill	3	3
Wolds	3	2

736 Ibid. Notes: staff turnover expressed as a percentage of the total staff for each year since 2002. (1) Unavailable (2) Opened June 2005 (3) Opened March 2005

737 Prison Service Pay Review Body, Sixth Report on England and Wales, March 2007

738 National Audit Office (2003) The Operational Performance of PFI Prisons, London: Stationery Office

739 HM Chief Inspector of Prisons (2010) Annual report 2008-2009, London: HMIP. Key: 1 - performing poorly; 2 - not performing sufficiently well; 3 - performing reasonably well; 4 - performing well

740 Ministry of Justice (2010) Prison quarterly ratings, quarter 4 2009-10.

Long term trends and future prison building

Estimates of future prison numbers vary widely. By the end of June 2015 the demand for prison spaces was projected to increase to between 83,300 and 93,900.⁷⁴¹

The Labour government was committed to building new prisons to increase the net capacity of the prison estate to 96,000 by 2014.⁷⁴²

3,393 new prison places have been created so far in 2010.⁷⁴³

Two new prisons will open in 2012, Belmarsh West and Featherstone 2. The opening capacity of the prisons will be 900 and 1,605 places respectively.⁷⁴⁴

However, the government plans to reduce the prison population by 3,000 by 2014 through a new approach to sentencing and rehabilitation.⁷⁴⁵

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 will also take forward proposals to invest in mental health and learning disability liaison services at police stations and courts to intervene at an early stage, diverting mentally ill offenders away from the justice system and into treatment and social care.⁷⁴⁶

Following the 2010 spending review the Ministry of Justice has to make overall resource savings of 23% in real terms by 2014-15.⁷⁴⁷

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.⁷⁴⁸

⁷⁴¹ Ministry of Justice Statistical Bulletin (2009) Prison Population Projections, England and Wales, 2009-2015, London: Ministry of Justice

⁷⁴² Ministry of Justice (2009) Capacity and Competition Policy for Prisons and Probation, London: Ministry of Justice

⁷⁴³ Hansard HC, 13 September 2010, c848W

⁷⁴⁴ Hansard HC, 19 January 2011, c811W

⁷⁴⁵ Hansard HC, 1 November 2010, c514W

⁷⁴⁶ HM Treasury (2010) Spending Review 2010, London: HM Treasury

⁷⁴⁷ HM Treasury (2010) Spending Review 2010, London: HM Treasury

⁷⁴⁸ HM Treasury (2010) Spending Review 2010, London: HM Treasury

Community solutions

In 2008 court ordered community sentences were more effective (by eight percentage points) at reducing one-year proven reoffending rates than custodial sentences of less than 12 months for similar offenders.⁷⁴⁹

In 2009-10, 67,700 people successfully completed community payback sentences. This amounts to over 8.9 million hours of unpaid work, which was used to benefit the community.⁷⁵⁰

The total number of community sentences has seen a steady increase between 1999 and 2009 with the number increasing by 22% from 249,381 to 303,615.⁷⁵¹

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.⁷⁵²

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.⁷⁵³

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.⁷⁵⁴

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.⁷⁵⁵

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.⁷⁵⁶

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.⁷⁵⁷

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.⁷⁵⁸

749 Ministry of Justice (2011) 2011 Compendium of reoffending statistics and analysis, London: Ministry of Justice

750 Ministry of Justice (2010) National Offender Management Service Annual Report and Accounts 2009-2010, London: Ministry of Justice

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

752 Hansard HC, 28 October 2010, c487W

753 Ibid.

754 Ministry of Justice (2011) Offender Management Caseload Statistics 2010, London: Ministry of Justice

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

756 Solomon, E. and Rutherford, M. (2007) Community Sentences Digest, London: Centre for Crime and Justice Studies.

757 Seymour, L. and Rutherford, M. (2008) The Community Order and the Mental Health Treatment Requirement, London: Sainsbury Centre for Mental Health

758 Home Office Press Release, 20 February 2007

Public perceptions of crime

Total spending for public order and safety by the government was an estimated £35 billion in 2009-10.⁷⁵⁹

There are now record police numbers, 141,850 compared with 125,051 in 1997.⁷⁶⁰

According to the most recent British Crime Survey crime rates have fallen since 1997 with crime overall reduced by 43%, and by 9% in the past year.⁷⁶¹

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 2009-10.⁷⁶²

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.⁷⁶³

In April 2011 22% of interviewees thought crime and law and order were the most important issues facing Britain today.⁷⁶⁴

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".⁷⁶⁵

60% of those who think crime is rising say it is because of what they see on television, and 46% because of what they read in the newspapers.⁷⁶⁶

759 Table 4.2, HM Treasury (2010), Public Expenditure Statistical Analyses 2010, London: HM Treasury

760 Table 1, Home Office (2011), Police Service Strength England and Wales, 30 September 2010, London: Home Office and Table 1, Allen, G. (2001), Police Service Strength, Research Paper 01/28, London: House of Commons Library

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

762 Ibid. and Table 5.07, Home Office (2010), Crime in England and Wales 2009/10, London: Home Office

763 Ipsos MORI (2006), International Social Trends Monitor, London: Ipsos MORI

764 Ipsos MORI (2011), Issues Index: Trends since 1997, London: Ipsos MORI

765 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

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

45% of crimes reported in newspapers in the UK involve sex or violence, compared with only 3% of actual reported crime.⁷⁶⁷

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. 21% of people believed they were fairly or very likely to be a victim of car crime, when the actual risk was 6%.⁷⁶⁸

People have more positive perceptions of crime locally than nationally; 66% thought crime in the country as a whole was rising, compared with 31% who thought crime in their local area had increased.⁷⁶⁹

Young people are more likely than those over 65 to say that there has been an increase in crime in their local area.⁷⁷⁰ 16-24 year olds are also the most likely age group to be victims of crime.⁷⁷¹

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.⁷⁷²

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.⁷⁷³

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.⁷⁷⁴

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.⁷⁷⁵

767 Ibid.

768 Figure 5.3, Home Office (2010), Crime in England and Wales 2009/10, London: Home Office

769 Figure 5.1, Ibid.

770 Table 5.01, Ibid.

771 Table 2.05, Ibid

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

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

774 ICM opinion poll for the Corston Coalition, 26-28 November 2010. Sample of 1000 adults 18+ in GB, by telephone omnibus

775 PRT (2010) YouGov poll

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.⁷⁷⁶

⁷⁷⁶ Ibid.

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