

## NATIONAL COUNCIL

David Graham MBE

15 Walkern Road

Watton at Stone

Herts

SG14 3RQ

☎ 01920 830603 (home) / 07811 393733 (mobile) / 01920 412248 (Fax)

Email: [davidwgraham21@hotmail.com](mailto:davidwgraham21@hotmail.com)

### **NATIONAL AUDIT OFFICE VALUE FOR MONEY STUDY ON PRISON POPULATION PRESSURES: INDEPENDENT MONITORING BOARDS' SUBMISSION.**

Independent Monitoring Boards (IMBs) are statutory bodies attached to each of the 140 prison or young offenders institutions in England and Wales. Their main role is to take an independent view of the standards of fairness and humanity with which those in custody are treated, and the range and effectiveness of the programmes the prison provides. Board members are lay volunteers, appointed by the Home Secretary and drawn from all walks of life.

The National Audit Office will be aware of the costs of operating various components of the establishments. We believe therefore that we can be most helpful to the NAO's enquiries if we stick firmly to our monitoring role and record some of the most frequent shortcomings which Boards have identified. The following observations are a distillation of the accumulated experience of members of the National Council (IMBs' elected representatives), IMB tutors and some individual Board members.

#### **(1) THE EFFECTS OF A CROWDED ESTATE**

The NAO will recognise that the prison population exceeds the intended space available and that the accommodation of additional prisoners is achieved by overcrowding, this being in excess of 11% during July 2004. A recent PRT Report stated that at the end of May 2004, 91 of the 138 prisons in England and Wales were overcrowded. Overcrowding is defined as two prisoners occupying a cell designed and built for one, or three prisoners occupying a cell designed and built for two. The consequences of overcrowding are many and various, but I shall try to give examples which are observed by IMB members as they carry out their regular monitoring function across the different types of establishment.

##### **(A) Decency**

The Prison Service states that it **"is dedicated to treating prisoners with decency in a caring and secure environment."** We do not believe that this is achievable when 2 prisoners have to live in a cell designed for one, in which they each have to eat, sleep and defecate in the presence of another. Where prisoners are able to obtain places in Education or Workshops such effects can be ameliorated, but some have to endure this for 23 hours per day.

### **(B) Impact on Staff**

It is no surprise that with more prisoners to look after, staff resources are stretched. More wings are locked up for half a day or an evening, gym or other facilities are curtailed. Tension and stress increases, placing an additional burden on staff, from the basic daily tasks to trying to help a prisoner with his/her problems. Safety and security are also affected. The level of recorded assaults shows a correlation with the degree of overcrowding.

### **(C) Purposeful Activity**

Most establishments struggle to accommodate additional numbers within their education and employment facilities. Designated training prisons within the estate have regular and sizeable unemployment on a daily basis.

Many Boards observe actual unemployment in excess of this officially recognised and recorded level. Prisoners taken to a workshop where there is no work to be done, occupy themselves by watching videos, playing cards or some other activity which contributes little to address their offending behaviour or equip them with appropriate skills for use on release. Waiting lists for Offending Behaviour courses, often specified by the court or Parole Board as essential constituents of a prisoner's sentence plan, grow, thereby increasing the prisoner's frustration. Often the effects of overcrowding can most easily be observed within the infrastructure of an establishment. Support facilities such as the kitchens cannot employ more prisoners, due to space and supervision needs. Nevertheless, more meals must be produced to meet the needs of an increased population.

### **(D) Sentence Management**

In order for the second of the Prison Service stated objectives **“Reduce crime by providing constructive regimes which address offending behaviour, improve educational and work skills and promote law abiding behaviour in custody and after release”** to be met, it is essential to complete thorough and effective sentence planning and management. Much of this activity has suffered due to overcrowding, as limited resources have been diverted to core activities. Boards have expressed concern in this area and are now aware of the introduction of a new IT system to be used in this area. Whilst it is hoped that the new system (OASys) will bring new benefits, it is widely acknowledged that its use will also require additional time and skilled officer input when compared to the current system. Whilst the present situation exists it is difficult to be optimistic about the number of prisoners who will have timely and effective sentence plans within the near future. Without them, preparation for release will remain patchy and the impact on re-offending rates will be less than expected. Whilst there appear to be no reliable statistics on re-offending rates, they are expected to benefit from appropriate offending behaviour work completed during a custodial sentence.

### **(E) Impact on Families and Reduction of Re-offending.**

Maintaining regular contact with family whilst serving a custodial sentence is not only desirable, and an essential feature of a humane prison system, it is also well recognised that it is a major contributor to the prevention of re-offending after release. A consequence of overcrowding is that many prisoners are moved far from home, making it difficult, or for some impossible, to maintain such links. This is particularly acute when overcrowding drafts occur, with prisoners moved at short notice, often over considerable distances, to free up space for new receptions.

Those family members who are sufficiently fit and willing to travel such distances may be eligible for financial assistance, thereby increasing public expenditure. The impact on children is particularly high when mothers are sent to prison, with only around 5% of children being able to remain in their own home. The cost of this impact in both financial and emotional terms is enormous.

### **(F) Suicide and Self-Harm**

With more and more severely damaged and vulnerable people entering our prisons it is increasingly difficult for staff to spend sufficient time to monitor and help those in need. Despite much concerted effort and improved care techniques, on average 1 prisoner succeeds in taking their own life every 4 days. Many of these deaths occur within the first week or so of entering prison. They therefore often occur within a busy Local prison, the type of establishment which receives prisoners directly from the courts, and one in which the daily movement of prisoners is at its highest.

With record population levels the sheer number of prisoners passing through such establishments makes it difficult to address little more than immediate accommodation needs. In the case of women prisoners, acute and chronic mental health disorders are seen much more frequently, requiring immediate and ongoing intervention.

Levels of self harm amongst women are much higher than that seen in male prisoners and women are over represented within the statistics for self-inflicted deaths. Links have been demonstrated between overcrowded prisons, with increased stress levels, and self-inflicted deaths.

### **(G) Foreign National Prisoners**

It is estimated that Foreign National Prisoners account for around 12% of the prison population currently. They frequently have additional and differing needs from other prisoners, language difficulties being an obvious problem for many. Whilst Language Line is available in most if not all establishments, Boards frequently hear of reluctance to allow it's use due to the high costs involved. At present, in excess of 400 Foreign National Prisoners have now passed their sentence expiry date but remain in prison.

The two most common reasons for their continued custody being either an appeal against deportation being processed, or lack of travel documents. In the case of the latter, experience shows that it can take in excess of a year to obtain suitable paperwork from an appropriate Embassy or High Commission, thereby increasing the period of custody beyond that specified by the sentencing court and at the British taxpayers expense.

### **(H) Remand Prisoners**

More than 15% of the prison population are on remand, of which some 20% will eventually be acquitted and 50% will receive non-custodial sentences. In the case of women, the proportion of those on remand is even higher. Remand prisoners frequently spend more time locked up, with insufficient motivation for the promotion of physical and mental health. The risk of losing employment, accommodation and family contact is high, all of which increase the risk of re-offending upon eventual release.



## **(2) SUITABILITY OF DIFFERENT FORMS OF TEMPORARY ACCOMMODATION**

### **(A) Police Cells**

It is known that the cost per prisoner day in a police cell far exceeds that of a prisoner day within a prison. However, in addition to the increased financial costs, accommodating prisoners within a police station has other far reaching effects. It distracts and diverts police officers from their prime role. It places them in a situation for which they are neither prepared or trained, motivated or skilled. Police cells were never intended as long term accommodation for any type of prisoner and this should be maintained. The accommodation for a prisoner is totally lacking in amenities, even for outside exercise. No constructive regime can be provided, no education or employment, no chaplaincy for either religious or pastoral support, no means of addressing their offending behaviour. There is insufficient motivation or opportunity for the promotion of physical and mental health. This can exacerbate inner frustration and have a marked impact on existing mental health conditions. In short, the provision of inadequate, and it could be argued inhumane, containment within inappropriate accommodation, supervised by personnel trained for entirely different employment, is unacceptable.

### **(B) Prison Ships**

By their nature space is at a premium, although as HMP Weare has demonstrated this type of accommodation can be operated if no suitable alternatives exist, provided prisoners are carefully selected. Short term sentences may be accommodated but it would be inappropriate to consider longer term prisoners or those who are following extended education or skills training courses, within such confined and limited facilities.

### **(C) Temporary Modular Accommodation**

Often known as RTU (Ready to Use) accommodation, it has been used successfully around the estate for some time now. Early units had originally been used on Accommodation Platforms of oil and gas drilling platforms at sea. It is therefore evident that their use requires very careful selection of prisoners to occupy them. General construction, such as internal walls which are thin with poor sound proofing, offers very low physical security and requires care to prevent slight damage rendering it unusable.

### **(3) OVERALL COMMENTS ON THE CURRENT PRISON POPULATION**

- Boards frequently see prisoners who are inappropriately sent to prison instead of being treated for their, often severe, mental health needs. Such needs can be met within a shorter time and at a lower cost by referral to outside facilities. An increasing number arrive in prison suffering the effects of addiction, yet there are insufficient detoxification facilities available for them.
- Much of the increase in the prison population is due to longer sentences being awarded. We have seen no evidence that this has reduced the risk of re-offending.
- Many prisoners appear to present little or no risk to the community, this applying particularly to many within the female prison population. Given appropriate community support many of these offenders need not be held in prisons.
- Those serving longer sentences, who are fortunate enough to obtain help with addressing their addiction, often struggle on release due to the lack of suitable support provision within the outside community. All benefit gained from a long course of therapy and practical support to withdraw from drug use is lost within the first few days of release when the only appointment with an outside drug worker is 6 weeks later. The support is needed immediately.
- Short term custodial sentences usually achieve little or nothing in terms of either addressing offending behaviour or effective resettlement. They provide insufficient time to do either, but they are long enough to cause the loss of employment, housing and family support, the three highest priorities for successful reintegration into society and reduction of re-offending.

The National Council hopes that the provision of this brief overview is helpful. It will be pleased to elaborate further should the NAO require.

David W Graham

National Council Independent Monitoring Boards

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