Beyond Bars: Strategies to tackle the prison crisis

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community

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1. Executive summary



The prison system isn't working. Our prisons are overcrowded and understaffed, and they fail to prepare too many prisoners for life after release, or prevent them from committing more crimes once their sentence is over. For far too long, prisons policy has involved a succession of urgent firefighting measures aimed at tackling immediate short-term crises, coupled with a failure either to deliver much-needed improvements or to accomplish meaningful reform.

That does not mean that prison cannot work: it can, and it has to. The public strongly believes that prison is needed, and that serious offenders should be locked up. More or less all mainstream politicians, of all parties, share this position, both because they sincerely agree with it and because they can see where public opinion is. But as this report shows, the public's views on prisons are more complex and nuanced than some politicians and some commentators in the media give them credit for. Simplifying and caricaturing where the public are does them a disservice, and gets in the way of policy changes that would both make a positive difference and - crucially - be widely supported.

The truth is that, as the opinion research in this report shows, the public are concerned about the state of the prison system, recognise that it needs to improve and are prepared to support changes - including some changes that involve sending fewer people to prison, supporting prisoners to gain new skills for life on the outside, and making sure that newly-released prisoners have the basic resources they need to reintegrate into society. There is notably little party political divide on this issue. Conservative and Labour voters alike tend to hold the view that the primary purpose of prisons is punishment and public protection, and that prisons are performing poorly on deterrence and rehabilitation.

We spoke to custodial staff and prison policy experts to understand their priorities for making positive changes to how prisons work, particularly in relation to overcrowding, staff recruitment and retention and rehabilitation and resettlement. And we tested some of their ideas with the public through polling and focus groups, to get beyond slogans, and behind the simplified idea that people want to be "tough on crime" (they do) and that they believe that "prison works" (they do) and understand what else they think: whether they think the system is working, how they think it could improve, what kinds of changes they could support.

This report was commissioned by the trade union Community, which represents justice, custodial and immigration workers in the UK working across all parts of the criminal justice system. We found that the public respects custodial workers and recognises that they do vital and challenging jobs - jobs that most people say they would not want to do. Our polling shows strong support for improved pay and conditions across the sector - something that would make a difference to the recruitment and retention crisis in our prisons, which adversely affects the experience of those in custody and makes the work of staff even more difficult.

Changes that will make a positive difference, and to which the electorate are open, are possible. In our extensive opinion research for this project we found there is potential public support for a policy programme that:

- **Prison overcrowding:**
  - Increases the use of community sentences and improves and expands the use of electronic tagging
- **Workforce recruitment and retention:**
  - Includes tough responses for prisoners that assault staff and improves health and safety across the sector
  - Includes minimum staffing levels in all private prison contracts and reviews these levels in light of staff safety
  - Devolves recruitment of prison staff to prison group director level and creates a tracker for applicants to monitor where they are in the process
  - Increases pay for all custodial staff and introduces retention payments



- **Rehabilitation and resettlement:**
  - Expands the use of residential rehabilitation in the community
  - Increases partnerships with employers to deliver vocational training in prisons
  - Invests in greater resettlement provisions for prison leavers

This report sets out some of the areas where politicians can do the right thing, and take the public with them.

2. Introduction



This report looks at some of the challenges affecting the prisons and custodial sector. It identifies common ground on practical policy alternatives that the public can back and which could enhance the system, particularly with regard to prison overcrowding, the experiences of custodial staff and their recruitment and retention, and rehabilitation and resettlement. We do not present detailed, ready-to-implement policies. Instead we have focused on policy options that enjoy a broad consensus within the sector, resonate with - or at least, not alienate - the public and address the urgent issues of overcrowding, staff recruitment and retention, and rehabilitation and resettlement.

The report focuses on three key policy goals:

1. Mitigate the overcrowding crisis
2. Increase the recruitment and retention of custodial staff
3. Reduce reoffending by improving rehabilitation for prisoners and resettlement for prison leavers

These three goals are complex and intertwined. For example, overcrowding reduces the amount of meaningful interaction custodial staff can have with prisoners and contributes to increased violence, which in turn makes the job less attractive and contributes to staff leaving and the service finding it harder to attract new people. Poor staff recruitment and retention makes it more difficult for prisons to offer meaningful rehabilitative activities. Reoffending pushes prison leavers back into the prison system, making overcrowding worse.



Speaking to experts and the public

We conducted interviews with experts and workforce representatives from across the prison and custodial system. These ranged from those working on the front line in prisons to service providers and managers to justice policy experts. These interviews proved immensely valuable in shaping the focus of our polling and we thank all of our interviewees for their contribution.

We then ran a 1,000 sample, nationally representative poll of the UK public in November and December 2023. This helped us to quantify our findings, understand the scale of people's opinions towards the current state of the justice system, and test messaging around policies.

To help tease out some of the themes that arose in the poll, we ran two focus groups on 21 and 29 November 2023, targeting a specific type of swing voter. These can be described as Labour's 'target voters' and are a key demographic crucial to securing a Labour majority at the next general election. We ran the groups in constituencies where the swing needed for Labour to win the seat from the Conservatives would nationally translate to a Labour majority in government. These groups were:

- Formerly Conservative swing voter group in Croydon South. This group voted Conservative in the 2019 general election but are now open to voting either Labour or Conservative at the general election in 2024.
- Formerly Conservative swing voter group in Great Grimsby. Similarly to the above, this group voted Conservative in 2019 but are now open to voting either Labour or Conservative at the next general election.

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3. Context

Current state of the prison and custodial system

Over the last decade or so, prisons have got worse. The prison and justice system was significantly cut by the coalition government's austerity programme. In 2017, the Institute for Fiscal Studies calculated that the Ministry of Justice's budget was set to be cut by 40% across the decade from 2010; subsequent spending plans meant that in 2019-20 it was 25% lower than in 2010-11.[1] The coalition government introduced voluntary redundancy schemes for prison staff with the aim of enabling budget cuts. More than 1,700 prison officers left through this scheme, with many of them having more than 20 years' experience in the sector.[2] Capital budgets were also squeezed, although there was a significant increase after 2021, largely to fund additional prison places.[3] In Scotland, where justice spending is devolved to the Scottish Parliament, cuts were smaller (there are other significant differences in policy, notably the SNP Government in Scotland's long-standing opposition to prison privatisation).

These cuts to funding contributed to a decline in the performance of prisons, with increasing numbers of incidents of assault against custodial staff, prisoners spending more time in their cells and fewer opportunities to engage in rehabilitative activities.[4] Over the same period, there has been a lack of consistency of political direction: there have been 11 Secretaries of State for Justice since 2010, with nine of them serving since 2015, as well as 13 junior ministers with responsibility for prisons (one of them, Lucy Frazer, has held the post twice, although on the second occasion she held the job for only six days).

From 2020 onwards, the Covid-19 pandemic had a significant impact on the justice system.

There were serious concerns that the virus would spread rapidly in prisons. Stringent measures were implemented including the majority of prisoners remaining locked in their cells for at least 23 hours a day.[5] The Ministry of Justice enforced two early release schemes to ease population pressures: a scheme aimed at prisoners who were vulnerable to contracting Covid-19 for medical reasons, and a scheme aimed at those prisoners less than sixty days from their release date. However the scheme released fewer than 400 prisoners and did not substantially reduce prison numbers.[6] The impact of these prison lockdowns is still being felt, with many prisons across the UK being unable to return to pre-pandemic levels of operation.

The prison population has risen for a number of reasons. The UK population as a whole has risen rapidly to an estimate of 67 million in 2021, an increase of 3.7 million people since a decade ago.[7] This is combined with the fact that people are being sentenced for longer, with the average custodial sentence length rising consistently for the last ten years from 17 months in 2012 to 24.3 months in 2022.[8] Furthermore the remand population is currently the highest it has been for at least 50 years and now accounts for 18% of the overall prison population.[9] [10] Finally there are a large number of foreign national offenders being held in prisons in England and Wales; nearly 10,000 at the end of 2022.[11] The government has committed to extending the Early Removal Scheme to give them the power to deport foreign nationals up to eighteen months before they are due to be released. However custodial staff told us that there was a perverse incentive for prisoners who were being deported to assault custodial staff members: it pauses the deportation process as the incident needs to be investigated, even if this is only an internal investigation.

1 Georgina Sturge, Joseph Robins, Yago Zayed, and Alexander Bellis, *Debate Pack: the Spending of the Ministry of Justice,* 1 October 2019.
2 UK Parliament, *Written Questions, Answers and Statements: Prison Officers: Redundancy*, 7 March 2016.
3 Georgina Sturge, Louise McNair, and Helena Carthew, *Estimates Day: The Spending of the Ministry of Justice on His Majesty's Prisons and Probation Service*, 29 June 2023.
4 Benoit Guerin et al, *Performance Tracker 2019: A data driven analysis of the performance of public services*, 5 November 2019.
5 Miranda Davies, *Covid-19: How Is It Impacting on Prisoners' Health?*, 18 June 2020.
6 Centre for Crime and Justice Studies, *The Impact of the COVID-19 Pandemic in Our Prisons*, 15 March 2021.
7 Office for National Statistics, *Population Estimates for the UK, England, Wales, Scotland and Northern Ireland, 21 December 2022.*
8 Ministry of Justice, *Criminal Justice Statistics Quarterly: December 2022*, 18 May 2023.
9 Russell Webster, *Prison and Probation Trends: Autumn 2022*, 27 October 2022.
10 GOV.UK Justice Data, *Offender Management*, 30 June 2023.
11 UK Parliament, *Written questions, answers and statements: Prisoners' Release: Foreign Nationals*, 27 March 2023.

The risk of this practice increasing needs to be considered if the government plans to increase the number of deportations.

In November 2023, the prison population in England and Wales was 87,930, against an operational capacity of 88,924.[12] In June, 61% of prison establishments (73 in total) were overcrowded, meaning that they were holding more prisoners than their Certified Normal Accommodation (CNA), the Prison Service's own measure of the decent standard accommodation that they aspire to provide for all prisoners.[13] Many prisons are dilapidated and the backlog of highest priority major capital works was estimated to be 1.4 billion in July 2023.[14] Despite the government's commitments in the Prisons Strategy White Paper to provide 20,000 new prison places by the mid-2020s, in July 2023 only around 5,400 places had been delivered.[15]

In October, it was reported that crown court judges had been ordered to delay sentencing hearings because of pressure on prison places.[16] Operation Safeguard, a protocol where prisoners are held in police cells as there are no available places in jails, has changed from being an emergency contingency to a routine in parts of England.[17] HM Chief Inspector of Prisons Charlie Taylor has warned "the population crisis is not a technocratic headache for ministers and the prison service; there will be consequences for all of us".[18]

To address the immediate overpopulation crisis, the government has announced its intention to legislate to introduce a duty on the courts to suspend short sentences of 12 months or less (with exceptions being granted where there is significant risk of harm to an individual or where the offender has breached an order of the court).[19]

This increase in the population is combined with a decrease in state expenditure. Reductions in government spending in prisons and a decrease in the number of prison officers from 2010 to 2016 has led to a significant increase in fatalities, incidents of violence, self-harm and drug-related issues, along with a decline in rehabilitation services for prisoners. Despite some efforts from the current government to reverse these cuts, both spending levels on prisons and the number of prison officers still fall short of the 2010 benchmark, leading to a continued decline in prison performance.[20]

This situation is poised to deteriorate further as the Ministry of Justice has projected the prison population to increase to 94,400 by March 2025 and between 93,100 and 106,300 by March 2027.[21] This anticipated long-term increase is based on various factors, such as increasing the number of police officers and increasing sentence length for the most severe offenders.[22] These projections from the government are based on the best available evidence but it remains to be seen what the full impact on the prison population will be as the courts recover from Covid-19 backlogs and the impact of an increase in police officers.

The pressures on custodial staff are not limited to those working in prisons. The landscape of immigration detention has changed since the Covid-19 pandemic due to a significant influx of individuals arriving in the UK via small boats. Following the lifting of restrictions, there was an uptick in the number of individuals detained in most Immigration Removal Centres (IRCSs). Although the count of individuals held in prisons under immigration powers saw a slight decrease this year, as removal flights and transfers to IRCs resumed, the numbers remained too high to be suitably held in custody.[23] The issues of underfunding and overcrowding apply to staff across the custodial sector: staff from probation officers to court and prisoner escort drivers are experiencing the combined impact of fewer staff being expected to do more work.

12 GOV.UK, *Prison population figures: 2023*, November 2023.
13 Georgina Sturge, *UK Prison Population Statistics* 8 September 2023.
14 Gil Richards and Nick Davies, *Performance Tracker 2023: Prisons*, 30 October 2023.
15 UK Parliament, Written questions, answers and statements: Prison Accommodation, 20 July 2023.
16 Catherine Baksi, *Judges told not to jail rapists as prisons are full*, 11 October 2023.
17 Charlie Taylor, *Why the prison population crisis is everyone's concern*, 2 August 2023.
18 ibid.
19 Ministry of Justice, *Sentencing Bill - Changes on the Presumption of the suspension of short sentences*, 14 November 2023.
20 Gil Richards and Nick Davies, *Performance Tracker 2023: Prisons*, 30 October 2023.
21 Ministry of Justice, *Prison Population Projections 2022 to 2027, England and Wales*, 2023.
22 ibid.
23 Charlie Taylor, *HM Chief Inspector of Prisons for England and Wales: Annual Report 2022-2023*, 5 July 2023.



Workforce retention and recruitment

Prisons do not have enough staff. As of 31st March 2023, there were 66,031 members of staff in post in HM Prison and Probation Service.[24] House of Commons Library research before the pandemic found that the number of prison officers fell by a quarter between 2010 and 2014, going from around 25,000 to 18,000. Between 2014 and 2017, the number stayed at around 18,000 before increasing again to nearly 23,000 in 2019 as the result of a recruitment drive.[25] The Institute for Government found that staff retention for HMPPS over this period was difficult "due to better pay and conditions elsewhere, including other parts of the public sector, particularly the police".[26]

This frequent staff turnover, coupled with insufficient training, has led to a lack of experience in the workforce. Despite a slight increase in the number of prison officers in 2021,[27] the issue of retention has significantly deteriorated over the past 13 years. Between 2010 and 2021, the prison system saw a collective loss of over 86,000 years of prison officer experience.[28] Consequently, the prison workforce is characterised by a relative lack of experience, with over a quarter of prison officers having been in their positions for less than two years.[29]

24 Ministry of Justice, *HM Prison and Probation Service annual staff equalities report: 2022 to 2023*, 23 November 2023.
25 Jacqueline Beard, *Prison Safety in England and Wales*, 28 November 2019.
26 Nick Davies, *Performance Tracker 2022/23: Spring update - Prisons*, 23 February 2023.
27 ibid.
28 Community, *Rise of Assaults on Justice Sector Workers*, August 2021.
29 Nick Davies, *Performance Tracker 2022/23: Spring update - Prisons*, 23 February 2023.

Another impact of staff shortages, according to Community, is that many prison staff are doing excessive overtime - something low pay makes more attractive, and which is at least tacitly encouraged by employers and managers. As Community says, "this is not a sustainable situation. In the long-term excessive working hours are fuelling staff burnout".[30]

These issues are further compounded by the lack of parity of esteem between staff in private and public prisons, which staff told us is doing significant damage to motivation within the private estate. Prison staff in private prisons told us that they often work more hours, for less pay and with fewer protective mechanisms to help reduce the flow of drugs and levels of violence. Community has been leading on campaigning for measures that address this disparity, with the majority of their justice and custodial sector members being employed in private prisons.

> *"One of the issues for the private sector is that it is not seen as a career. Part of our campaign is about the recognition of staff in the private sector because they are not called servants of the crown"*
>
> - Community representative

> *"The government should ensure that all private sector and public sector prisons have the same amount and correct amount of PPE for everyday work. Because at the moment there is a great difference. And until we are brought in line with the public sector, we're still going to get this issue with violence against ourselves"*
>
> - Community representative

These wider concerns about parity are enforced by practical differences between public and private prison contracts. In the public sector, each key worker can only be responsible for six prisoners, whereas in the private sector this can be anything up to ten prisoners per key worker.[31]

Measures to combat this disparity that have been recommended by Community include developing the career path and progression opportunities of private sector staff members, standardising training on mental health for all staff members and allowing private sector members to be eligible for the same awards and recognition as those enjoyed by staff in the public sector.[32]

Violence against staff

One of the drivers for these levels of staff attrition is the lack of support for staff affected by violence. According to Community's 2021 survey, one in four justice sector workers had been assaulted at work at least once in the past year, and one in ten had been assaulted twice or more. 9% reported that they have been assaulted on a monthly basis during the year.[33] There were 7,356 assaults on prison staff in the 12 months leading up to September 2022, with serious assaults increasing by 6% from the previous year to 721 incidents.[34] However even though the majority of incidents of assault are reported, staff told us of a lack of repercussions for the perpetrators or support for the staff member after reporting the assault.

In 2016 the Justice Select Committee examined what it described as an "ongoing and rapid deterioration in prison safety in England and Wales which began in 2012".[35] The MoJ's 2016 White Paper Prison Safety and Reform said that "Prison safety has declined since 2012. Levels of total assaults across the prison estate and assaults on staff are the highest on record, and are continuing to rise". It identified a number of causes, including an increase

30 Community, *The Prison Service Operational Workforce, Justice Committee Inquiry, Community Union Response*, February 2023.
31 Community, *Written evidence to Prison Population 2022: planning for the future inquiry, 2022.*
32 ibid.
33 Community, *Rise of Assaults on Justice Sector Workers, August 2021.*
34 Ministry of Justice, *Safety in Custody Statistics, England and Wales: Deaths in Prison Custody to December 2022 Assaults and Self-harm to September 2022*, 26 January 2023.
35 House of Commons Justice Committee, *Prison Safety*, 10 May 2016.

in the proportion of prisoners convicted of violence against the person, sexual offences and drug offences - three in five sentenced prisoners by 2016, compared to two in five in 1993. It noted a dramatic increase in the use of psychoactive substances in prisons, dealing with the effects of which "has made it more difficult for many prisons to run full and purposeful regimes". And it said there had been a reduction in prison staff numbers "as a result of making efficiencies", with increased violence making it harder to retain existing staff, "thus creating a vicious cycle of staff pressure and violence".[36]

Between 2016 and 2018, assaults on staff by prisoners continued to rise before falling slightly in 2018, likely due to a declining prison population. Unsurprisingly violence against staff fell sharply during the pandemic due to lockdown measures. However, since prisons have removed some lockdown restrictions, the incidence of violence against staff by prisoners has risen again.[37]

Community has also identified staffing levels as a significant reason for people leaving the service: "Staff who feel that they are operating in an undermanned prison feel less safe at work. Staff feel less able to do their jobs adequately when they are not supported by a full roster of colleagues".[38] This creates a vicious cycle where prisons are understaffed, understaffing means existing staff find their jobs even harder and are more likely to leave, and so understaffing and, critically, the number of longer-serving, experienced staff, gets worse as a result.

Drugs in prisons

According to the Ministry of Justice, around half of prisoners are addicted to drugs.[39] Research by the think tank Reform found that the proportion of prisoners who say they developed a drug problem while in custody more than doubled between 2013/14 and 2018/19, to almost 15%.[40] New psychoactive substances (NPSs) are a particular problem in prisons. HM Inspectorate of Prisons found in 2015 that prisoners were more likely to have used synthetic cannabinoids such as Spice and Black Mamba in prison than in the community.[41]

Drug use contributes to violence against both prisoners and prison staff, both because taking psychoactive substances can make people violent and because drug debt leads to bullying and violence. Drug use also makes it harder for prison staff to form constructive relationships with prisoners and makes users less able to engage with education and rehabilitation programmes.[42]

In principle, prison provides an opportunity to put offenders with problem drug use in contact with services which can support them to reduce their drug use, improve their health and reduce risk to themselves and the community on release; in practice, this opportunity is rarely taken. The period immediately preceding release is particularly important for ensuring that prisoners are able to transition into the community and engage with services outside.[43]

36 Ministry of Justice, *Prison Safety and Reform*, November 2016.
37 Gil Richards and Nick Davies, *Performance Tracker 2023: Prisons*, 30 October 2023.
38 Community, *Rise of Assaults on Justice Sector Workers*, August 2021.
39 Ministry of Justice, *Addiction crackdown sees huge rise in prisoners getting clean*, 10 February 2023.
40 Aidan Shilson-Thomas, *The prison system: priorities for investment*, January 2020.
41 HM Inspectorate of Prisons, *Changing patterns of substance misuse in adults prisons and service responses*, December 2015.
42 Ministry of Justice, *Prison Safety and Reform*, November 2016.
43 EMCDDA, *Prisons and drugs in Europe: the problem and responses*, 1 November 2012.

What has happened to rehabilitation and probation

The impact of the Covid-19 pandemic is still having a negative effect on rehabilitation services in prison and in the community. During the pandemic, prisons were subjected to strict lockdown protocols, with many restrictions still persisting. Extended periods of confinement in cells, delays in routine health appointments and significantly diminished opportunities for education, training and work have all negatively impacted the well-being and future prospects of prisoners. There was a notable decrease in both the initiation and successful completion of accredited programmes in 2020 - 2021 when only 744 accredited programmes were started.This is in contrast to 2019 when 5,726 programmes were started.[44] Furthermore many prisoners experience limited communication with their prison offender manager, leaving them frustrated and uncertain about the rehabilitative goals they are expected to accomplish throughout their sentence.

Many of the problems with rehabilitation, although exacerbated by the pandemic, can be traced back to a combination of funding cuts and unsuccessful reforms. In 2013, then-Justice Secretary Chris Grayling announced Transforming Rehabilitation, with the stated aim of driving down reoffending rates.[45] This privatised the majority of the probation service in England and Wales. However this programme was widely seen as a failure. According to the National Audit Office, the "consequences of these decisions are far-reaching. CRCs [Community Rehabilitation Companies] have underinvested in probation services, which have suffered as a result. There is little evidence of hoped-for innovation and many of the early operational issues, such as friction between the NPS [National Probation Service] and CRCs, persist".[46] In 2018 another Justice Secretary, David Gauke, acknowledged that changes needed to be made and announced that CRC contracts would end two years earlier than planned.[47]

We can also see problems in release and resettlement for prisoners. Resettlement planning arrangements are commonly fragmented, leading to the needs of prisoners not being adequately assessed well in advance of their release. In his most recent annual report, HM Chief Inspector of Prisons found that many prisons were still struggling with the impact of the changes to the probation service as they had fewer staff available to assist prisoners with the practical essentials needed for effective resettlement.[48] The process of securing housing poses a significant challenge for many released prisoners, as they often lack the necessary support to acquire safe and secure accommodation. In March 2023, 11% of individuals leaving prison were released homeless.[49]

Summary

Historically, the challenges identified above - violence, drugs, lack of effective rehabilitation - have always plagued the system. However in 2023, the combination of the impact of Covid-19 and the rapid expansion of the prison population have exacerbated these issues and compounded their effects. Most of these are intertwined and cause a vicious cycle; an increase in the prison population puts more pressure on custodial staff which reduces the amount of rehabilitative activities available which leads to more reoffending, which leads to more prisoners. With the forecasting showing that the prison population is set to grow, these issues will only cause the prison and custodial system to deteriorate further.

As well as short-term action to fix the most immediate issues of the current crisis, we therefore need a much longer term strategy to foster a resilient and effective justice sector, prisons system and wider custodial workforce. One that is focussed on reducing the number of individuals in custody so that in the long term the prison system is able to withstand the impacts of any future external crises.

44 Nick Davies, *Performance Tracker 2022/23: Spring update - Prisons*, 23 February 2023.
45 Ministry of Justice, *Transforming Rehabilitation: A Strategy for Reform*, May 2013.
46 National Audit Office, *Transforming Rehabilitation: Progress review*, 1 March 2019.
47 Ministry of Justice, *Justice Secretary outlines future vision for probation*, 27 July 2018.
48 Charlie Taylor, *HM Chief Inspector of Prisons for England and Wales: Annual Report 2022-2023*, 5 July 2023.
49 Ministry of Justice, *Accommodation on Release statistical release to March 2023*, 1 June 2023.

4. Findings

Finding 1: The public wants a prison system that functions in a way that both punishes lawbreakers and provides proper access to rehabilitation

The public wants a prison system that functions in a way that both punishes lawbreakers and provides proper access to rehabilitation to prevent future reoffending. In our survey, there was widespread agreement that the purpose of prisons is to keep dangerous criminals off the streets (77%) and to punish individuals who have broken the law (75%). As well as this, over half (53%) listed rehabilitation among the purposes of prisons, suggesting that the public do not see this function as being mutually exclusive with punishment. Even 39% of those who believed that the best way to deal with crime is punishment (as opposed to rehabilitation), still believed that rehabilitating prisoners was a purpose of prisons. There was notably little political divide on these initial questions. Conservative and Labour voters alike tend to hold the view that the primary purpose of prisons is punishment and protection, but that prisons are not effective at punishing prisoners or putting people off from committing crime.

There are some ideological divides. When forced to choose whether rehabilitation or punishment deals with crime better the public splits nearly down the middle, with 42% supporting rehabilitation as the best way to prevent criminals from reoffending and 48% supporting punishment as the best way to prevent would-be criminals from offending in the first place. Younger respondents are more likely to say rehabilitation is preferable (50% of ages 18-34), and a majority of older respondents say punishment (58% of ages 55 and above). This divide is important, but does not tell the whole story of the range of purposes the public sees prisons having.



Finding 2: The public is critical of the current performance of prisons

Importantly, the public is negative about the current performance of prisons on a number of metrics. We found that the public is especially critical of how well prisons currently perform at rehabilitation and deterrence, with 42% saying prisons do a bad job at rehabilitation and 47% saying the same about deterrence. Respondents aged 55 and above were more critical of the prison system's capability to deter people from committing crimes (49%) than those aged 18-24 (37%). Labour voters were far more critical of how well prisons perform at rehabilitation than Conservatives (49% compared to 28%). Those who said rehabilitation was a primary purpose of prisons were no more critical of its current performance than the general public, showing that criticism of UK prisons' rehabilitative function is not restricted to those more inclined to think it important.

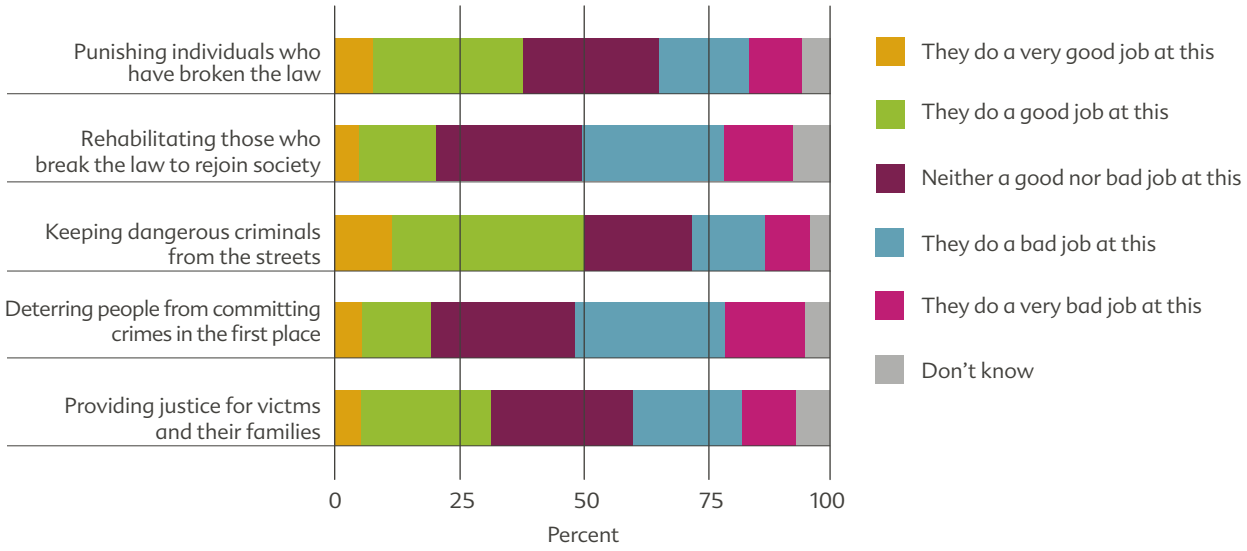
This concern about prisons not achieving their perceived function of punishing and rehabilitating prisoners was palpable in our discussions in focus groups. Across both groups, there were major concerns raised that prisons not only did not adequately punish and rehabilitate prisoners but in some situations could make criminal activity worse due to being in an environment with other offenders.

"I think reform is the whole point of prison. But if you don't put any money into it, you're not going to get reform, you're just going to get criminals cohabitating with other criminals and probably learning more criminal skills."
- Female, 47, insurance agent, Croydon South

"I think prison is for getting people out of society to give them a chance to try to realise their mistakes and build a better life when they come out."
- Female, 38, nursery worker, Great Grimsby

"So he probably might just get six weeks and then he's back out again doing the same thing. Sometimes they don't learn and then sometimes the punishment isn't bad enough for them to stop doing crime."
- Female, 37, hair and beauty technician, Grimsby

Thinking about the current prison system in the UK, do you think prisons do a good or bad job of the following?



Finding 3: Overcrowding is perceived as one of the three biggest issues facing the UK's prison system

Overcrowding in prisons was perceived as one of the three biggest issues facing the UK's prison system today and was reflected in concerns voiced during focus groups. In our polling, older respondents were more concerned about overcrowding than younger respondents, with 36% of respondents ages 65 and above saying it was one of the top three issues facing prisons, compared to only 23% of respondents ages 18-24. Two-thirds of survey respondents anticipated that prison custodial staff face difficulties in their job due to overcrowding. Those in higher social grades (AB) were more concerned with the challenge posed by overcrowding to prison staff (73%) compared to those in lower social grades (C2 and below) who were equally as concerned with drug use in prisons as they were with overcrowding (59% for both). In both focus groups, participants raised overpopulation as their primary concern when asked generally about the state of the prison system.

"It's overcrowded and underfunded. I think the population of prisons is now 80,000 or 82,000 or 81,000 - the highest it's ever been. Staff are demoralised. You know, there's just no investment is there in prisons or funding for prisoners?"
- Male, 48, market trader, Great Grimsby

"So when I think of prisons, I think that we're seeing they are quite overrun... depending on what category of prison they've gone to, but I think we're lacking space for prisoners."
- Female, 34, teacher, Great Grimsby

"Prisons are overcrowded and underfunded."
- Male, 69, lecturer, Croydon South

This concern with overcrowding was reflected in the fact that providing alternatives to short sentences performed well in our poll, whether through the use of electronic tagging or community sentencing. When we asked the public about their support for replacing sentences shorter than one year with community sentences or with electronic tagging, we found the majority was supportive of both (58% and 52%), with a significant portion responding neutrally (19% and 22%). Respondents in social grades AB were more supportive of replacing short sentences with community sentences (66%) and electronic monitoring (58%) than respondents in social grades C2 and below (54% and 49% respectively).

Two thirds of prisons in England and Wales are officially overcrowded.[50] This has led to Operation Safeguard being used routinely, allowing prisoners to be held in police cells in order to cut jail overcrowding. Similarly, many prisoners are 'double bunking', where two individuals share a cell designed for a single occupant. This practice can cause heightened tensions and diminished privacy, leading to security concerns.

The government has initiated a programme to construct new prisons with the aim of expanding capacity to ease pressure on the prison system. In the 2021 Prisons Strategy White Paper, it committed to adding an extra 20,000 prison spaces by the mid-2020s. As of July 2023, approximately 5,400 of these additional places have been completed and delivered.[51]

50 The Howard League for Penal Reform, *Prison Watch*, December 2023.
51 Jacqueline Beard, *What is the Government doing to reduce pressure on prison capacity?*, 19 October 2023.



The Sentencing Bill, announced in the King's Speech in November and currently before Parliament, includes provisions to introduce a presumption that custodial sentences of 12 months or less be suspended and to extend the availability of Home Detention Curfew to certain prisoners serving sentences of four years or more, allowing them to be released, subject to an electronically monitored curfew, up to 180 days before their automatic release date. These measures will somewhat ease the burden on prison places - although other measures in the Bill, including making whole life orders mandatory on certain types of murder and requiring prisoners sentenced for rape and certain other serious sexual offences to serve all of their custodial term in prison, can be expected to offset or even potentially outweigh their impact on numbers. But in any case, short sentences have not been the main driver of the upward trend in the prison population: in 2022, just 5% of the sentenced prison population in England and Wales was serving a sentence of less than 12 months.[52]

This announced policy of abolishing short prison sentences under a year is popular with both experts and the general public. But as it stands, this will not reverse the trend of increasing the prison population, which means that it will not stop overcrowding. We will need more prison places - and our polling showed that building more prisons in the UK (supported by 46% of respondents) and increasing the number of prison cells (supported by 39%) were the two most popular policies to deal with the fact that prisons are almost full. That means moving faster on the existing heavily delayed commitment to build 20,000 prison places, and potentially going further to ensure that prison capacity is able to keep pace with prison population projections. But simply building more prison places is not sustainable. We need a substantial increase in the use of non-custodial community sentences, along with an expansion of the use of electronic tagging, and the infrastructure that allows punishment and rehabilitation for individuals who commit crimes that would otherwise attract a short sentence.

This government's policy of abolishing short sentences came up frequently and with approval in our interviews with justice policy experts and custodial sector representatives:

> *"If you ease the population levels down by not putting short term, nonviolent in offenders in prison to begin with, which is probably not a vote winner, but is a sensible thing"*
>
> - Community representative

> *"You've got to get the numbers down in prisons. And banning those short sentences would do something about making prisons safer and more stable. It would reduce the numbers by a certain extent"*
>
> - Policy expert

52 Natasha Mutebi and Richard Brown, *The use of short prison sentences in England and Wales*, 27 July 2023.

In our public opinion work, participants felt that reducing prison numbers by not incarcerating people for relatively short amounts of time was generally a good idea. In particular, our survey found that a majority of the public (60%) support replacing drug possession sentences under one year with mandatory treatment in a residential substance abuse centre.

"I think it's a good idea, they don't really perform any function do they, shorter sentences? In fact, quite the opposite. They are more devastating. I mean, you take that woman from the TV programme [recent BBC TV drama Time] with the electric, you can get sentenced for three months, but in that process you lose your house, your relationship, your job and then you come out and the changes of you committing crime again are quite high whereas community service would be a lot more beneficial"

- Male, 48, market trader, Grimsby

"I wonder how many or what percentage of those who are committed to prison may be committed unnecessarily? And by that I mean, are there alternatives to dealing with this?"

- Male, 69, lecturer, Croydon South

"If all prison sentences under one year were examined and they thought this was something that could be dealt with in the community, with tags or probation community service, I think that would be one way to help"

- Female, 47, insurance agent, Croydon South

We found there was a strong consensus on the abolition of short sentences. However this needs to be combined with an increased use of community sentences and an improvement and expansion of electronic tagging, as came up regularly in our interviews with policy experts and custodial sector representatives:

"Enhancing home detention curfews, increasing release on temporary licence - all of these things can be done and they're proven to work. What you need is either an investment in probation or a change in how probation is done"

- Policy expert

"On the use of tagging, the Ministry of Justice has really struggled with its procurement of technology. It has found itself locked into long term vendor relationships. By the time the technology is procured, it's already out of date. This has been repeatedly criticised by the Justice Select Committee for the procurement of tagging technology. There is now quite sophisticated technology available via GPS or the sobriety tags which can monitor the level of alcohol in your blood, if it's an alcohol related offence"

- Policy expert

"It does seem like if the MoJ could get better at procurement, and a bit more organised in how it was able to deploy and adopt new technology, tagging would be a much more effective and cheap alternative to custody as a way to restrict liberty"

- Policy expert



These alternatives to short prison sentences also proved popular with the public. In our survey, generally respondents were receptive to the use of electronic monitoring and were evenly split on support for releasing prisoners early; with tagging (36%) and support for using tagging for some sentences but not early release (35%). On replacing prison sentences shorter than one year with community sentences or tagging, we found the majority were supportive of both (58% and 52%), with a significant portion responding neutrally (19% and 22%). The public supported these policies primarily because they reduced the prison population and reduced taxpayer costs.

These views were reflected in our discussions with participants in the groups:

"From what I've read, it costs a lot to keep a prisoner for a day. It's a huge amount of money. So maybe with community service there could be some sort of spin off from that, a lower figure"

- Male, 69, lecturer, Croydon South

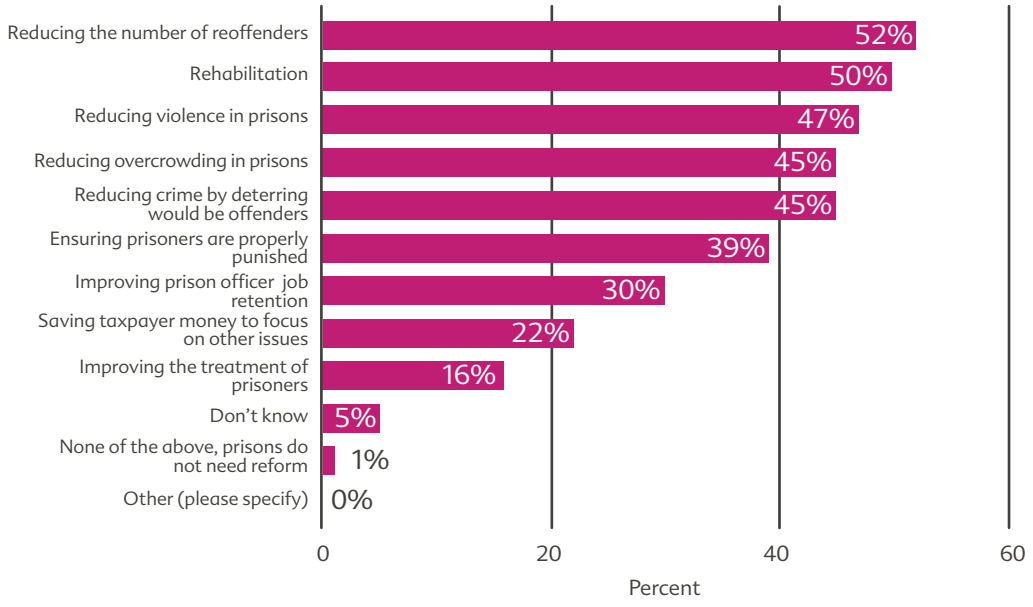
"Going back to community service, I think the punishment should be associated with whatever crime they've done. So if they've vandalised something, then they need to fix something. If they've stolen something, then they need to see the impact of stealing"

- Female, 47, insurance agent, Croydon South

Finding 4: The public were divided on the primary focus of prison reform

When it came to the primary focus of prison reform, the public we surveyed were divided. A small majority prioritised the reduction of reoffending (52%), followed by rehabilitation (50%). Other popular areas of improvement were reducing violence in prisons (47%), reducing overcrowding in prisons (45%) and deterring would-be offenders (45%). Despite not ranking high on the list of priorities, improving prison officer job retention was supported by nearly a third of respondents (30%) and was notably higher from respondents ages 65 and above (41%) compared to respondents ages 18-24 (21%) who were more likely to support improving the treatment of prisoners (26%). Saving taxpayer money to focus on other issues was one of the least supported focuses, reaffirming the importance of the prison system to the public.

What should be the primary focus of prison reforms, if any?



Finding 5: A significant majority of the public were supportive of prison custodial staff and appreciated the difficulties they faced in their work

Severe shortages in staff have a profound impact on both the wellbeing of personnel and the achievement of positive outcomes for prisoners. In some prisons, we were told that there is still an insufficient number of staff to effectively reinstate pre-pandemic routines for inmates without compromising safety. Inadequate staffing levels serve as a major driver of employees to leave. In prisons with inadequate staffing, staff often feel less secure in their work environment and frequently find themselves involved in crisis management and unable to fulfil the fundamental demands of their roles.

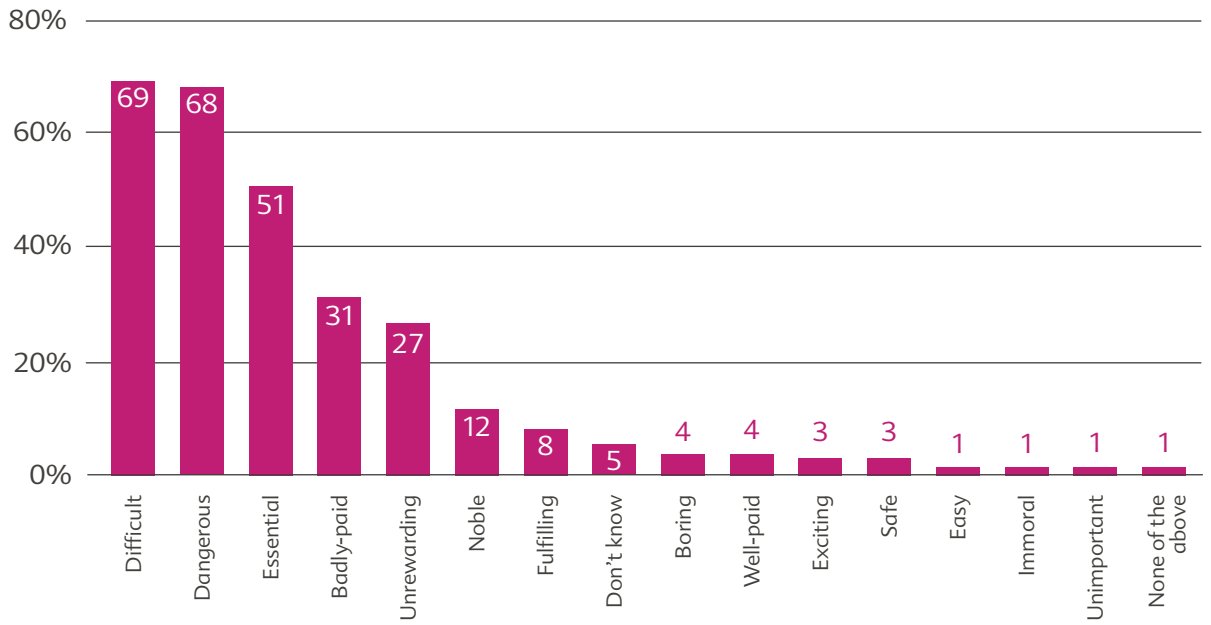
A significant majority of the public were supportive of prison custodial staff and appreciated the difficulties they faced in their work. Two-thirds of respondents to our survey expected that prison custodial staff faced challenges like workplace violence (66%) and overcrowding (66%), as well as insufficient staffing levels (60%) and drug use in prisons (60%).

Fewer respondents viewed inadequate pay (37%) and lack of training (33%) as challenges faced by prison staffers, but the majority estimate that staff earn between £20k and £35k (54%), and believe they should earn between £30k and £45k (50%), demonstrating awareness of inadequate pay for sector workers.

Our poll shows that the public think prison custodial staff have a tough job: over two thirds of those we surveyed described their work as "difficult" and "dangerous" - comfortably more than any of the other words offered as options. Only 3% described prison custodial staff's work as "safe" and only 1% as "fun". More than half of respondents said that they expected prison custodial staff to have to deal with violence at work, overcrowding, longer and harder hours due to staff shortages, and drug use in prisons. In our focus group in Grimsby, nobody expressed surprise at Community's member survey finding that one in four justice sector staff had been assaulted at work at least once in the last year, and several participants said they would have expected this number to be higher.

74% said that they would either never consider a job as custodial staff or would only consider it as a last resort. Fundamentally, respondents to our survey saw prison custodial staff jobs as difficult, dangerous but essential.

Which of the following words would you use to describe the work of prison custodial staff?



After responding to questions about the difficulties that prison custodial staff face in the workplace, 71% of respondents said that their salaries should be increased.

Similarly, the majority of people we spoke to in our groups praised the work of custodial staff more generally. They mentioned unprompted the dangers and difficulties that custodial staff face and praised their work ethic and skills needed to do their jobs well.

"They're doing a great service to the nation and you need to treat them with respect."
- Male, 37, project manager, Croydon South

"They work incredibly hard. I can't imagine how you would leave it at the door when you go home. You must see some awful things... The fights, the aggression - I couldn't do it."
- Female, 47, insurance agent. Croydon South

"It takes a special kind of person to be able to go into an environment like that and have no prejudice against [the inmates] because you've got to try and help them with whatever your job is. And some of them, you could despise them for the crimes they've done and you've still got to turn up to work and be professional and treat them just like everybody else in there."
- Male, 37, HGV driver, Great Grimsby

Finding 6: Minimum staffing levels in contracts in private prisons need reform

Representatives from Community raised two problems with the way minimum staff levels are treated - or in some cases, not treated - in private prison contracts. First, minimum staff levels are not stipulated as standard across private contracts. Second, where a minimum staffing level is specified, it may be too low:

"One of the major problems within contracts is that I'm not absolutely convinced that minimum staffing levels are part and parcel of the contract. So we have a great difference when it comes to negotiating about what the profitability of a contract is. And, likewise, what generally is called the ASL [the agreed staffing level] but that needs to be a fundamental part of any contract bid because at least then any contractor is bidding on a level playing field."
- Community representative

"For me it would be those KPIs and contracts to actually make sure that there is a guaranteed level of safety in terms of staffing levels. And it doesn't matter where you are, that's a base and for us as a union to expand on that and increase it as part of our negotiations with those contracts but that there is an absolute minimum, including on those returning to tender."
- Community representative

Finding 7: Greater protection is needed for custodial staff to prevent violence at work

Community has been campaigning for years for greater protection for its members who are subject to verbal and physical assaults at work. Despite a reduction in the number of assaults in 2020 due to lockdown measures, the number of incidents that staff face remains at unacceptable levels.

The individuals on the front line in prisons that we spoke to were able to list ways that their lives had been affected by violent attacks from prisoners:

> *"We just had a serious assault on a female officer where boiling water and sugar was thrown over her. So that means she needs to have skin grafts and all sorts of things"*
>
> - Community representative

> *"We had an officer kicked to death in a vehicle by a prisoner who was eventually sent to a secure hospital. So it just goes to show the sort of danger that we are all under every time we walk into our place of employment"*
>
> - Community representative

This level of fear was often combined with concerns that there were very little repercussions for prisoners who assaulted staff members:

> *"There needs to be a more robust penalisation process for the system of assaulting staff. There doesn't seem to be a proper process and it doesn't deter them at all"*
>
> - Community representative

Finding 8: There are issues with the pre-employment screening for prison officer recruits

Throughout our research, we encountered issues with the pre-employment screening for prison officer recruits as part of the application process. This includes background checks across police information systems, credit reference checks and social media and open source checks.

A vetting process that can take months leads to gaps between staff leaving and being replaced. One of our expert interviewees, who works with voluntary sector organisations which work in prisons and whose staff also require vetting, expressed frustration at losing staff to the statutory sector after the onboarding and vetting process has been completed. Another noted that the vetting requirement, although necessary, made it much harder to recruit people with lived experience of the criminal justice system, whose insights would be particularly valuable in supporting rehabilitation - not necessarily because those people do get rejected through vetting, but because they are put off applying in the first place by a lack of assurances that they will be approved.

There was a repeated concern from both policy experts and custodial sector representatives that the current system takes too long and is too opaque. This is a major barrier to the recruitment of staff. Many individuals who begin the process find alternative employment while waiting for the results of the process, as they are unclear on how far they have progressed or whether they will pass the checks at all.

"One of the big bugbears for us at this moment in time has got to be the vetting system. Everybody's got to be vetted to work within the custodial establishments they work in. Unfortunately, since it's gone out to private operators, the vetting has taken so long for people to get through. This has led to people sitting around waiting to do the job they've been trained for. They get bored. So they're looking to move on. Because you've got people sitting around, they've got plenty of time to read newspapers to find alternative employment."

- Community rep

"The process is clunky. It's quite opaque. It's not particularly transparent on where people are within the journey. There are a lot of assurances that once the process has been formally started, it doesn't take too long. But in our experience it can take a few months , so that means there's gaps in between staff leaving and new staff starting."

- Policy expert

This lack of transparency is also combined with a centralised recruitment system that depersonalises the process for many individuals. This could also contribute to them dropping out before their vetting has been completed. A more localised recruitment process could improve this.

"You could slice and dice that to a regional approach. You could maybe even get it down to a prison group director who generally has responsibility for three or four prisons. My instinct tells me that with local recruitment, local passion, people who can really sell prisons and explain some of the challenges and be realistic about the job that they're involved with as they have a vested interest to get the right people as they've got a passion for their prison patch."

- Policy expert

Speeding up vetting is an issue that needs to be handled with care - it is important not to undermine public trust in the system by making it easier for people who should not be employed in the custodial sector to get jobs in it. But we were told that the length of the process is a driver of applicants dropping out. Improving the recruitment process for custodial staff (more prison officers with greater experience due to longer service) would have a positive impact on the custodial sector as a whole and improve the perception of the government's management of the system.

Finding 9: The public are supportive of increasing the salaries of custodial sector staff to increase recruitment and retention

The level of pay for custodial staff was continually raised as a barrier to recruitment and retention by policy experts and custodial sector representatives. There was a consensus that the amount of stress and danger associated with the role was too high for the amount that many individuals in the sector are paid.

> *"We're all vastly underpaid. I mean, most of the people who do my job have to do second jobs in order to pay the bills. And then they can't retain staff. It's horrendous."*
>
> - Community representative

> *"They are paid less than Border Patrol and the police. So it's much more attractive to be in those roles instead. You're not going to get beaten up at work as often, you're going to be able to wear more protective clothing and all the rest of it. So until it's made a more attractive job, we will bleed prison staff."*
>
> - Policy expert

However it is not just the low entry salary that was raised as an issue for recruiting new custodial staff. There is also the major issue of retaining experienced staff that can act as mentors to junior team members. One suggestion was to introduce retention payments for staff who stay beyond an initial period to encourage individuals to remain in their roles, gain experience, confidence and competence, and counteract incentives to leave before or immediately after completing training:

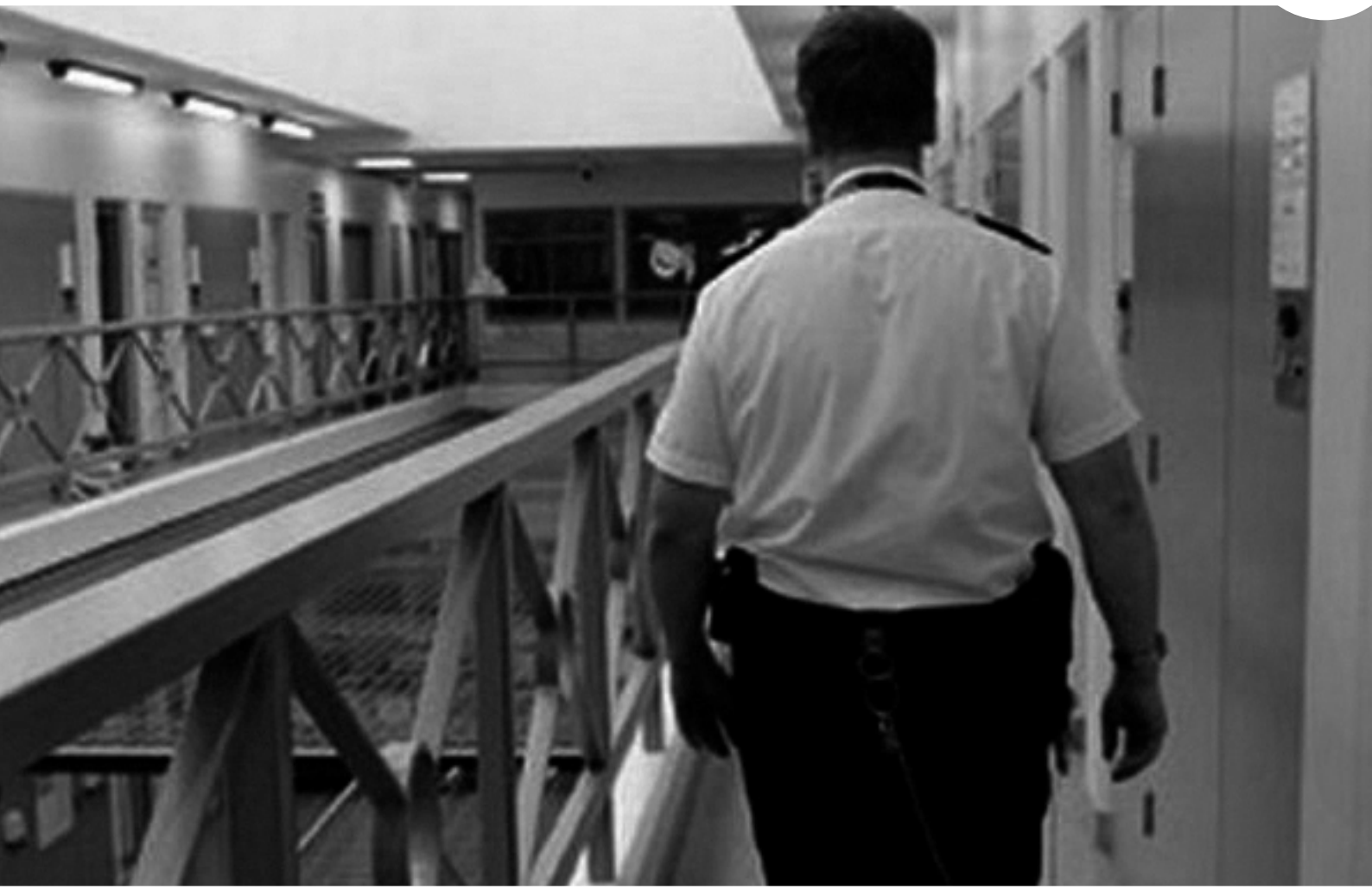
> *"They've got themselves into a position of what I would describe as volume recruitment. So we're running to standstill. We're losing so many staff, it's a leaky bucket you know and it is washing in and out. It's a recipe for enduring difficulties because prison staff don't become fully confident and competent until they've done the job for a couple of years because there is a whole host of on the job learning around confidence. So I think they should consider retention payments."*
>
> - Policy expert

> *"It's a good investment to get a return on your investment. Promotion, initial recruitment, vetting, recruitment, onboarding, training, getting them up to speed. A few quick retention payments is nothing compared to having to do all that again because a person walked out sick."*
>
> - Policy expert

Our public opinion research showed that increasing the salaries of custodial sector staff is very popular. In our poll, the most common estimate for staff pay was between £20k and £35k, but respondents believed they should earn between £30k and £45k. Indeed, 71% of respondents said that prison custodial staff salaries should be increased.

This sentiment was mirrored in our discussion groups, with many participants arguing strongly for a salary increase in light of the service provided by custodial staff.

> *"The people in the prison, like the wardens, the guards, are not being paid enough. So if that changed, that will be a great thing. Because when you need to have a secondary job beside your main job, it's not really convenient. And you can't really do your main job properly."*
>
> - Male, 25, aerospace apprentice, Croydon South



"They are also underpaid. So this goes back to funding. You're not going to get people who are passionate about the job if they need to have a second job."

- Female, 47, insurance agent, Croydon South

"It's got to be money, it's got to be progression. It's also got to be what is the additional safety net that the government is creating for you so in case you get injured, or in case something happens to you, you need to know that individual and their family is going to be taken care of."

- Male, 37, project manager, Croydon South

The groups also felt strongly that it is a waste of money to train an individual who then leaves the service relatively quickly.

"You need to improve morale, motivation, all these things are to do with turnover, especially within two years. I mean, you're spending 10 weeks training these people, which isn't adequate, but you're pumping in money for them to leave quite quickly, it's all speaking volumes. So there has to be more incentives."

- Female, 52, housewife, Croydon South

Finding 10: There is strong support for increasing the use of residential rehabilitation in the community

Across our interviews with experts and custodial sector workers we found strong support for increasing residential rehabilitation in the community for some offenders with addiction issues as an alternative to incarceration. Residential rehabilitation can often provide more specialised and targeted treatment for substance abuse disorders, with tailored interventions and therapy that addresses the root causes of addiction. It also often includes components that prepare individuals for reintegration into society in a way that may be more effective for some individuals than prison.

Our interviewees were particularly keen to ensure that the needs of individuals who are more suited for residential rehabilitative care are taken into consideration during sentencing by increasing connections between the justice and healthcare systems.

> *"It feels to me, post pandemic, that there is no join up between health and prisons. Whereas before we had a number of partnership agreements between NHS England, the Department of Health, the Ministry of Justice and HMPPS. And that was particularly helpful for people who were unwell. And it was that unwellness that drives them to be in prison."*
>
> - Policy expert

> *"There is in the community a network of residential drug and alcohol rehabilitation services and these are quite controlled environments. They're the traditional ones or houses in the country where everyone goes to get their therapy. But there are an awful lot of urban based residential rehabs with different models and different ways of doing it. These are controlled environments and they work very well with tagging - you can tag people and give them curfews and all that sort of stuff... Basically they cost about half as much as a prison place and they are very high care, high supervision environments. And of course what comes out the back end is rehabilitated people."*
>
> - Policy expert

We found that this approach was similarly popular with the public in our discussion groups, with many seeing it as common sense to deal with the addiction issue in a residential setting rather than sending the individual to prison.

> *"If you keep putting them back into prison it's obviously not solving the problem as they're doing it to support a habit or an addiction. And they'll come out and probably do the same thing again. So you need to get to the root cause and try to rehabilitate them."*
>
> - Female, 47, insurance agent, Croydon South

> *"Why did they get into these addictions? What happened in their childhood or past? I mean, it's a can of worms."*
>
> - Female, 52, housewife, Croydon South

Finding 11: Increasing vocational training as a way of reducing reoffending is popular with the public and experts

Vocational training in prisons plays a crucial role in breaking the cycle of incarceration by offering individuals the skills and opportunities to support themselves financially in society. Gainful employment is a significant factor in reducing recidivism rates, as it provides a viable alternative to income generated from criminal activities.

The custodial staffing crisis has meant that rehabilitation services in prison have been cut back: prison governors have prioritised safety and essential services to allow the day-to-day running of prisons over rehabilitation. Increasing partnerships with private employers to provide this training could increase capacity and create a vital link with the prisoner post-release with an opportunity for future employment.

The custodial sector staff and experts that we spoke to during the course of our research strongly supported this:

"The real problem is that we can't deliver what we're promising to deliver in terms of rehabilitation because the lack of staff is a vicious cycle. We do some wonderful things that other prisons don't do. But have we got the ability to do them with the amount of people that we have on a day to day basis? Absolutely not. Workshops are shut down. On a daily basis, education isn't taken as it should be. All the good things that prisons can do in terms of rehabilitation aren't being carried out fully, certainly at this establishment."

- Community representative

"You've got places like Timpson's that are offering fantastic courses... These companies are going to work with prisons and criminals and it needs to be across the board. And there needs to be more. It tends to be sort of male oriented. I know some women's prisons are struggling to get people in and for women to go out and find work afterwards."

- Community representative

"Employers are involved with training them in workshops and in classrooms and on roles that they could conceivably go on to do with that organisation. And technology can play a part. So for example, one thing we're looking at is you can actually do a kind of forklift truck and driving test now almost without doing it really, all through virtual reality... And it's stuff like that, how technology can help break down those barriers to training."

- Policy expert

Support for vocational schemes was repeated consistently in both our survey and our discussions with the public in the focus groups. In our poll, there was wide support for increasing partnerships between prisons and local employers to train prisoners and provide employment upon release (65%). A majority (52%) believe a primary focus of prison reform should be reducing the number of reoffenders.

The practice of private employers training prisoners was well-known in both our groups and was unanimously accepted as a positive initiative. All saw the importance of securing employment post-release as an important stepping stone to not returning to criminal activities.

"How do you get these people to be employable? And give them training? And give them a reason to move out of the criminal life so they have something more productive."

- Male, 37, project manager, Croydon South

"It would be a good idea to give them some sort of additional training. Otherwise they're going to obviously want to fill the gaps with drug use."

- Female, 52, housewife, Croydon South

"Maybe we need parallel funding from the private sector for rehabilitation. Whatever you want to call them - skills or activities that can be put to good use outside."

- Male, 69, lecturer, Croydon South

Finding 12: Resettlement provision for prison leavers is widely seen as inadequate

Adequate resettlement provisions are vital in ensuring that prison leavers have access to basic necessities such as housing, food and clothing on their release, whilst also having a long-term impact on helping individuals successfully reintegrate into society. Lack of access to housing is one of the main drivers of recidivism rates.[53] Staff shortages and government budget cuts have meant that resettlement provision has become increasingly fragmented, with a postcode lottery operating on what type of support a prison leaver is given.[54]

Across the board, the policy experts and custodial sector representatives that we spoke to were unanimous on the urgent need for prison leavers to have adequate resettlement provisions to prevent further criminal activity.

"So it's not just people being sent to prison for the first time. For a long time, it's people being sent back again. And they will only ever come back, because there isn't anything there for them when they come out."

- Policy expert

"It is too high - the number of people being released homeless. And the number of people released without any money because of the whole thing of not being able to open a bank account and not being able to start your universal credit application in prison as you don't have a computer."

- Policy expert

53 Kim Williams, Jennifer Poyser, and Katherine Hopkins, *Accommodation, homelessness and reoffending of prisoners: Results from the Surveying Prisoner Crime Reduction (SPCR) survey*, March 2012.
54 Ministry of Justice and HM Prison and Probation Service, *Improving resettlement support for prison leavers to reduce reoffending*, 12 May 2023.

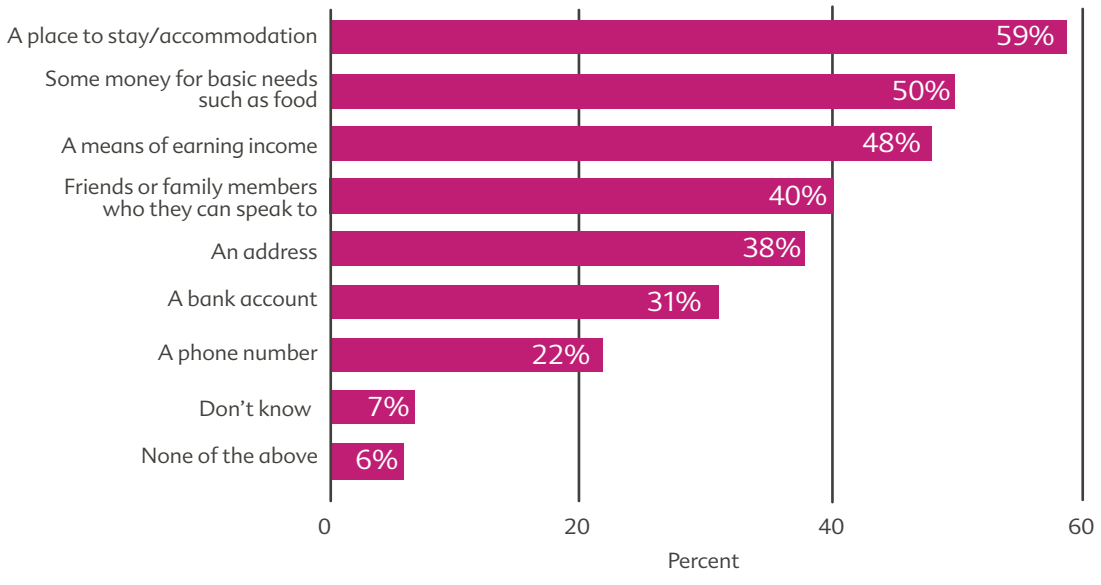
"The one word answer is probably housing. We have a big remand population in prison. And we release people and say 'you've done your sentence, you've got no licence, here is £50 and off you trot'. Now a lot of these people aren't going to houses because they've burned ties with families and the support we can give them inside in terms of drugs and mental health and a myriad of stuff we do inside prisons ends. They are through the door and that is that. And then we're surprised when next week we see them again as they've got nowhere to sleep and nowhere to go. So after a couple of weeks sofa surfing they've got no money. So they nick something. And it's a better life for a lot of these people back inside with their mates, three meals a day and a nice warm bed."

- Community representative

This recognition of the important role played by resettlement provision was raised consistently in both our poll and the groups.

On housing specifically, we found - perhaps surprisingly - widespread support for the idea that the government should provide accommodation to a prisoner without a home to go to when they finish their sentence (52% supported this). In fact, accommodation was the most important thing the public felt that prison leavers should have access to, ahead of money for basic needs (50%) and a means of earning income (48%).

Which of the following do you think prisons should ensure prisoners have access to once they finish their sentence?



While respondents were more uncertain whether prisoners should be given priority access to supported housing upon release if they would otherwise be homeless, they still remained generally in favour (44% compared to 26%).

Nearly half of the public (48%) believe that prisoners should have access to some means of earning income when they finish their sentence. Interestingly accommodation and money were supported ahead of income, but the wide support for training, income and employment suggests that the public is open to allocating resources towards resettlement provision to prevent reoffending.

This support for giving prison leavers the tools to rebuild their lives post-incarceration was palpable in both our discussion groups.

"Their lives need to move on. I think if they have served the punishment, and the government is convinced that they are good enough to be free, I definitely think they need to return to normal. And the government needs to help make this normal because they can't do it on their own."

- Female, 34, receptionist, Croydon South

I think prisoners do need to come out with a bank account and a mobile phone, you can't do anything without the two. I don't mean a fancy-dan, top of the range iPhone but just a basic bank account and something that you can job search on and probation people can phone you on. It's a necessity in this day and age."

- Female, 47, insurance agent, Croydon South

"You do need those two things to be able to work [phone and bank account]. And everywhere now is not taking cash so they're going to need a bank account to get a card - a credit card or a debit card. Otherwise they wouldn't be able to transfer money."

- Female, 52, housewife, Croydon South

"I think people need a supportive network when they come out of prison, to try to help them rebuild their life out. Whereas they're just left a lot of the time just out into the community where they don't have any support. So they're just starting back to how they were before. Whereas if there was someone there who cared about them and supported them and their family, they might realise there is a better life out there and they might be able to rebuild their life and actually, you know, get a decent job and a positive outlook."

- Female, 37, hair and beauty technician

5. Policy recommendations

Long-term thinking is required to ensure a resilient and effective prison system, with less prison overcrowding, better recruitment and retention of custodial staff and improved prisoner rehabilitation and resettlement.

The UK public are extremely concerned about the current state of the prison system, especially on issues of overcrowding, staff welfare and its lack of rehabilitative effectiveness. The challenge for any political party is to reduce the number of incarcerated individuals whilst also demonstrating that their policies are 'tough on crime'. The good news is that we know that the public's concern about the current state of the system means they are willing to contemplate alternatives to prison for some offenders, and investment in rehabilitation and resettlement, so long as they are seen as tackling the root of the problem.

While any government would need to take into account the fiscal constraints surrounding such changes, we have found that there is broad public and custodial sector support for changes in the areas we have explored in this report. We recommend:

1. **Increase the use of community sentences and improve and expand the use of electronic tagging, alongside maintaining the existing abolition of prison sentences under one year.** This could include a review of the reasons why judges do not have sufficient confidence in handing down community sentences as opposed to short prison sentences. We were told that this is likely a result of the breakdown in communication between the courts and the probation service following the tumult of the last thirteen years. For electronic tagging - something the Government is already committed to significantly expanding - changes should take into account the findings of last year's inquiry by the Public Accounts Committee about poor procurement of electronic monitoring. [55]
2. **Include minimum staffing levels in all private prison contracts and review these levels in light of staff safety.** With many prisons chronically understaffed, many custodial staff are attending work every day in dangerous circumstances.
3. **Develop a clear plan that reduces assaults on staff, including changes that mean assaulting staff leads to tough responses and to improve health and safety across the sector.** Staff members who have been assaulted must receive proper support and the offender must face consequences for their actions. Taking into account the issues mentioned previously around deportation and violence, this must include police action when prison and immigration staff are assaulted. This must be combined with a wider plan to improve health and safety across the sector, with policies such as mental health provision for officers who have experienced traumatising events to proper physical healthcare.[56]
4. **Devolve recruitment of prison staff to a prison group director level and create a tracker for applicants** to monitor where their application is in the process. Prison group directors oversee a number of prisons in their area. Devolving recruitment could allow prison staff to work with local applicants throughout their recruitment journey. This could include meeting with them to discuss the day to day benefits and challenges of working in the prison and checking in with them during the vetting process to 'keep them warm'. Some facilities management companies such as Mitie employ this buddy system with successful results. The tracker could be an 'Amazon delivery style' journey tracker that shows clearly where the individual is in the vetting process and how many more milestones they need to cross before their vetting will be complete.

55 Public Accounts Committee, *"Avoidable" mistakes in tagging programme "wasted £98 million of taxpayers money"*, 21 October 2022.
56 Community, *Rise of Assaults on Justice Sector Workers*, August 2021.

5. **Increase pay for all custodial staff and introduce retention payments.** The public, experts and custodial staff representatives we spoke to agreed that the current level of pay is a major barrier to recruitment and retention, contributing towards the staffing crisis. While taking into account the financial implications of such a decision, there is a clear opportunity for politicians to intervene on the issue of pay in a way that is accepted by the public and would have a positive effect on staff retention and recruitment. That should involve both increasing pay for all custodial sector staff and introducing retention payments, tied to various performance metrics and reliant on staff members completing initial training and keeping up to date with ongoing training. The focus of these payments should be on counteracting the problem of many members of staff leaving after a short amount of time in the role: perhaps 5% of salary at the 18 month mark and 5% again once the individual has been in the role for two and a half years.

6. **Expand the use of residential rehabilitation in the community for some offenders with addiction issues as an alternative to incarceration.** Experts and custodial staff representatives emphasised the need to treat individuals with addiction issues differently from individuals without addictions. For many of those we spoke to, the use of residential rehabilitation was deemed preferable to incarceration. When tested with the public, this approach was not seen as being 'soft on crime'. Instead for many people, putting individuals in an environment that would best treat their addiction was seen as a more common sense approach to reduce recidivism. This suggests that there is more space for politicians to explore expanding residential rehabilitation options than would perhaps be expected from a British public who generally want their government to be tough on crime.

7. **Increase partnerships with employers to deliver vocational training in prisons.** Experts and custodial staff alike were positive about current vocational training by employers that is taking place in prisons. Similarly, the concept was popular with the general public. This provides an opportunity to look at examples of best practice from companies such as Timpsons and for political parties to see how these models can be used with other organisations, both in terms of providing vocational training for prisoners and giving them potential employment opportunities on release. In the longer term, this provides incarcerated individuals with vocational opportunities and greater potential for employment after release. Our research has shown that this is an area that enjoys support from experts, prison staff and the public.

8. **Invest in greater resettlement provision for prison leavers.** Resettlement provision is a key component in tackling recidivism. Politicians may instinctively shy away from being seen to give anything 'for free' to prison leavers for fear of it seeming electorally unpopular. However our public opinion research has shown that there is a consensus that there are some essential things that individuals need to reintegrate back into society after leaving prison. These include access to a bank account and housing. While the implications for the public finances need to be considered, the public are not hostile to improvements in resettlement provision for prison leavers. We recommend investing in greater resettlement provisions for prison leavers. This needs to start by joining up the current provision across housing, employment and access to practicalities such as a mobile phone and a bank account, where the current process is fragmented. The public recognises the importance of accommodation for prison leavers, and understands that a major cause of recidivism is individuals having nowhere to go on release and therefore returning to breaking the law.

We encourage political parties to seize the opportunity to explore the policy areas set out in this report and demonstrate to the UK public they have a strategy for improving the UK's justice and custodial sector in the long term, while tackling the immediate overpopulation crisis in prisons today.



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Public First is a global strategic consultancy that works to help organisations better understand public opinion, analyse economic trends and craft new policy proposals. It has worked directly with some of the world's biggest companies, government departments and major charities to produce bespoke, original policy proposals and reports derived from an evidence base of economic analysis and public opinion research. Public First is a member of the British Polling Council and is a Company Partner of the Market Research Society, whose rules and guidelines it adheres to.