

Criminal Justice System items to note

Meeting on 27.1.2026

1. Statistics and Agency Performance

1.1 Prison Population Projections 2025-2030 MoJ publication

The prison population is projected to increase to between 98,000 and 103,600 by March 2030, with a central estimate of 100,600 driven by several factors including continued growth in police charging and prosecutorial activity; increased flows into the courts; and increases in the number of recalls. Policies that have not received royal assent such as the Sentencing Bill 2025, are not included in this projection. The projected rise is heavily influenced by police prosecutions. The cross-CJS view is that charge volumes are likely to continue rising over a 3-5 year horizon. Growth is estimated in the number of older prisoners, the adult male population and the adult female population.

1.2 Public Services performance tracker Courts and CJS performance

This takes a data-driven look at the state of nine key public services, examining spending, staffing, demand, productivity and performance:

1.2.1 Courts:

- Total spending on courts remains below 2010/11, but the crown court has been prioritised and is receiving record funding
- There are serious shortages of both lawyers & court staff, and courts are struggling simultaneously with inexperience and an ageing workforce. Early to mid-career lawyers are being lost the fastest eg 40% of duty solicitors are >55. Legal advisers & HMCTS lawyers who provide legal information to magistrates are also inexperienced eg 25% of all legal advisers were trainees
- There have been cuts to non-legal court staff, with total HMCTS staff down 20%
- *Magistrates' courts* are dealing with fewer cases, despite growing backlogs and increasing reliance on the fast-track 'single justice procedure'. The number of cases is now back to pre-pandemic levels but they are closing fewer and doing a lot less than before the pandemic, creating a growing backlog of cases - 360,000 in June 2025, up 62% since December 2019
- In the *Crown Court*, demand is rising but poor productivity means the system can't keep up. The volume is up by 9% but demand is no higher largely because straightforward sentencing cases sent from magistrates' courts now make up a much bigger share of cases. But like magistrates' courts, the crown court is still getting a lot less done. 5% fewer cases were closed despite more being dropped, the court sitting slightly more days and many fewer jury trials, which are by far the most time-intensive cases to deal with. The backlog of cases now approaches 80,000

The government should address causes of poor productivity before restricting jury trials or embarking on other structural reform. Workforce shortages, chaotic court administration, crumbling, leaking buildings and technology failures are all driving low productivity. Trials are frequently cancelled on the day because a lawyer is not available or one or both sides are not ready for trial. More and more trials are cancelled because cases are 'overlisting', even though fewer trials are being scheduled per day. Structural reforms or major restrictions to jury trials are not the only solution.

1.2.2 Prisons

- Per prisoner spending is now back at 2009/10 levels but may not last as MoJ spending is reprioritised to courts and probation, as implied in the 2025 spending review
- Emergency releases have averted disaster, but capacity will remain on a knife edge until at least 2028
- The government managed to successfully stave off disaster through various emergency measures to free up spaces in prisons but by March 2025, the prison population was back at near-record levels. SDS40 bought the government just 6 months. Further emergency measures, including restrictions to recall, were introduced to keep prisons functioning but they are still under immense pressure - adult men's prisons operating at 97.7% capacity. The

Sentencing Bill is intended to get the prison population under control but demand is still projected to outstrip available spaces until at least late 2027. So far, the government has been managing this by preventing spaces being taken out of use for repairs or fire safety work – but this may backfire if cells later become totally unusable

- Staff are inexperienced, with a big decline in senior officers, and leaving rates remain high
- Prison staff numbers have grown in recent years, but there are still 7% fewer operational staff per 1,000 prisoners than in 2009/10. Recent growth may be being reversed as many public prisons are at least 10% understaffed. Officers are also much less experienced on average, with half of officers having <5 years' experience
- Conditions in prisons are appalling and violence, deaths, self-harm and protests have all shot up (over 30,000 assault incidents in prisons in 2024, the second-highest figure on record). More than 10,000 were assaults on staff (up 15%, highest ever recorded). Self-harm, protests and deaths in custody all show similarly distressing trends, particularly in women's prisons
- Drug use has become endemic - 10% of men and 20% of women say they developed a problem with drugs or alcohol while in prison
- Prisoners are still spending almost all their time locked in their cells, with very limited education, employment or rehabilitative work
- There have been further sharp declines in prisoners taking part in 'purposeful activity', with Reception prisons by far the worst. More than $\frac{2}{3}$ spent <6 hrs out of their cell on an average weekday, while a $\frac{1}{4}$ were unlocked for less than two, leading to high rates of violence, protest and drug use. It is therefore likely to be almost impossible to implement a true 'earned progression' model as set out in the Sentencing Bill

Ultimately, improving performance in prisons has to start with easing some of the pressure on capacity so prisons can get the basics right. Only then will it be feasible to focus on improving behaviour and rehabilitation.

1.2.3 Broader look across criminal justice and beyond

Labour inherited services struggling with underinvestment, undeliverable spending plans and inexperienced staff. Services have also been dogged by workforce problems including widespread shortages in key back-office roles, from LA analysts to hospital managers to police staff. These are often characterised as wasteful by ministers, but play a critical role in service performance by improving productivity and freeing up frontline staff for public-facing work. These problems, coupled with generally rising demand, meant almost all the services saw dramatic performance decline. Public services have become trapped in negative performance spirals, where problems in one part of the system make things worse elsewhere which creates 'failure demand': demand created by services' failure to provide sufficient support earlier. Struggles to access housing, benefits, mental health services and drug and alcohol support are all driving demand and harming productivity in other services. Labour has stabilised immediate crises but made limited progress on longer-term problems. Progress has been slower than it could have been and too many services still lack a meaningful plan for improvement. It took the government a year to set out these principles for public service reform – work which could and should have been completed in opposition. As a result, the principles were not embedded in the spending review or the programmes being pursued by different departments, creating a disjointed and sometimes incoherent approach eg funding reforms in local government will support greater autonomy for local and strategic authorities, in line with the devolution principle but the Home Office, health and education departments are all centralising decision-making or performance management. Labour's missions have also failed to transform the approach to public services in government. There has been little evidence of cross-government working or joint submissions to the spending review which really makes a difference to where services are directing their attention and energy and how much they can improve. Recommendations that deliver lasting improvements in service performance are:

- Establish a cross-cutting approach to public services
- Operationalise and scale up public service reform plans
- Support services to use their capital budgets more effectively
- Develop deliverable workforce plans
- Fix data problems and gaps.

2. Sentencing

2.1 Prison sentencing reforms *National Police Chiefs' Council statement*

Government plans to radically reform sentencing will lead to an increase in crime by as much as 6% in a single year. They involve a presumption against short sentences of <1yr with community sentences used instead, and those jailed being released earlier than currently the case. The hope is that offenders will experience greater efforts at rehabilitation, and in the medium to long term the changes will cut offending. But the Council warned of an increase in recorded crime of 4 to 6% in the first year after the changes were enacted: "We are expecting that, whilst the programmes in the community are being ramped up by the probation service as part of the implementation plan to support offenders to rehabilitate, we expect, certainly in the short term, there will be an increase of offending." It is an unprecedented intervention by police chiefs, directly pinning their forecast of a significant rise in crime on a government policy. The MoJ has been approached for comment.

2.2 Life behind bars for police, prison and probation killers *Sentencing Bill amendment*

The changes mean that any murder connected to a police, prison or probation officer's current or former duties will be subject to a Whole Life Order. This will ensure revenge killings are met with the harshest punishment, even when officers are targeted years after leaving the service.

3. CJS agencies

3.1 Courts

3.1.1 Jury trials *Article in the Observer*

The courts minister, said the proposal for a new intermediate court, involving a judge and two magistrates rather than 12 members of the public, was "an idea whose time has come". She said it was "absolutely shocking" that some rape victims are being told their case will not be heard until 2029 because of delays and she would do "whatever it takes" to speed up delivery of justice. In a "broken" CJS, defendants had an incentive to opt for a jury trial "because it puts off your trial date and more and more defendants are gaming the system because they believe, rightly, that victims and witnesses will pull out so maybe that day will never come". The "witness attrition" rate caused 325 prosecutions out of 4,317 to collapse last year cf 62 in 2019. "We should prioritise swift justice over the defendant's right to elect their mode of trial". The proposals provoked a furious political and legal backlash, being described by the opposition as a "slippery slope" to abandoning jury trials altogether. 90% of Barristers oppose it, warning that this would be an unacceptable price to pay and would undermine what was a fundamental principle for British justice. However, the plan for an intermediate court is supported by five former lord chancellors, both Labour and Conservative, and two former lord chief justices. 90% of criminal cases were already heard without a jury trial in the magistrates' courts. Judges have described it as "morale-sapping" to see defendants opt for jury trials in the hope of collapsing their cases, and Canadian judges have said that juryless trials halved the time it took for a case to be heard. More recent indications are that the plans may be watered down after the backlash to avoid a fight in the House of Lords. Sources say senior government officials are discussing potential changes in an attempt to draw the sting out of the plans although the justice secretary is understood to be pushing ahead with the plans in their current form

3.1.2 Recruitment of Magistrates *Statement from the MoJ*

The Government has launched a national recruitment campaign asking people to volunteer their time to delivering justice by becoming a magistrate. Over 2,000 extra magistrates have been trained since 2022 and this new, ambitious recruitment drive aims to boost the magistracy by the same number again in the next financial year. Magistrates represent the communities they serve – currently 57% are female and 14% come from an ethnic minority background. They are expected to dedicate a minimum of 13 days a year to sitting on cases, meaning many magistrates can fulfil this crucial role easily alongside full-time employment and caring responsibilities. Research indicates 45% would consider volunteering in the next 12 months. All magistrates are given robust training and an experienced mentor in their first year to develop their skills and legal knowledge and are also supported by specialist legal advisors to allow them to deal with a range of cases. The top qualities that the MoJ and the Judiciary look for in potential candidates are good communication skills, a sense of fairness and the ability to see an argument from different sides.

3.2 Police

3.2.1 Police and crime commissioners (PCCs) Home Office announcement

Ministers will abolish elected PCCs, declaring them to be an expensive failure. The Conservatives introduced the system in 2012 whereby all 43 police forces had to answer to an elected official. It was supposed to boost the accountability and performances of police forces but critics, especially police chiefs, said the commissioners too often tried to interfere and were ineffective. The abolition is a victory for chief constables and a sign of how influential they are in the Labour government's thinking about policing. The home secretary said: "The introduction of PCCs by the last government was a failed experiment. I will introduce new reforms so police are accountable to their local mayoralities or local councils. The savings will fund more neighbourhood police on the beat across the country, fighting crime and protecting our communities." The government promised £20m of savings would go directly back into policing, and the move would save at least £100m over this parliament. The next elections for PCCs, scheduled for May 2028, will be scrapped. It comes as local government is also being changed with more mayors being introduced. The government said two in five people did not know PCCs existed; and turnout at the last elections for the posts was below 25%. PCCs attacked the lack of consultation and said: "For more than a decade, directly elected PCCs have transformed policing accountability and delivered essential support services for victims of crime. Having a single, visible local leader – answerable to the public – has improved scrutiny and transparency, ensuring policing delivers on the issues that matter most to local communities." Chief constables felt while some PCCs were good, too many were erratic and some dismissed as "second rate" local politicians. Some chief constable posts remained empty for a long time because of PCCs' dithering, it was claimed, and the churn of chiefs increased. Labour believes a strong central Home Office is needed. The abolition of PCCs will be in a police reform bill that is much delayed because ministers are struggling to find the money to fund the more meaningful measures.

3.2.2 Tackling violence against women Guardian article

All police forces will have dedicated rape and sexual offences teams by 2029 as part of the delayed strategy on violence against women and girls, and almost £2m will be invested in "crack police squads" made up of "covert online investigators" to target internet abusers. "This government has declared violence against women and girls a national emergency". The plans for the new teams would be headed by "specialist investigators" trained to understand offender behaviour. Early data from a project suggested half the rape investigation teams were not fully qualified. Training will have a particular focus on "rape mythology" and "problematic cultural issues", which lead to some victims being dismissed or blamed, and some would be trained as sexual violence "first responders" in an attempt to ensure initial contact with victims is handled appropriately. There is no additional funding for these units, so forces will have to absorb the costs from existing budgets. The speed at which they are set up is also expected to vary between forces and will depend on the existing level of expertise in each area.

3.3 Prisons

3.3.1 Releases in error Independent Review

Dame Lynne Owens will lead this review, to be concluded within 8 weeks, the terms of which are:

- Establish the facts and timeline of the release in error of Mr. Kebatu from HMP Chelmsford.
- Consider whether the relevant protocols around prisoner discharge were in place and whether staff had sufficient experience, training, tools, and technology to apply them appropriately.
- Consider the extent to which the protocols were properly complied with
- Consider the causes of releases in error across the prison estate, highlighting any systemic factors that require addressing.
- Consider whether the existing protocols and operating procedures that govern prisoner discharges are sufficiently robust.
- Make recommendations that can be implemented across the prison estate to reduce the likelihood of any such incident occurring in the future.

3.3.2 Drugs *House of Commons Justice Committee report*

Use of illicit drugs and their trade across prisons has reached 'endemic' levels, fostering a 'dangerous culture of acceptance that must be broken'. The ability of HMPPS to maintain safety and control, and offer effective rehabilitation, is being 'critically undermined' by the scale of the drugs crisis within the prison system. The highly critical report concludes that without urgent reform to tackle the demand for drugs, the lucrative profits fuelling supply networks and the poor condition of the prison estate, the prison system, which it describes as "failing and unstable", will continue at 'unacceptable human cost'. Key facts include:

- 16% of deaths in prison were classified as drug-related
- 11% of men and 19% of women said they had developed a problem with drugs, alcohol or medication not prescribed to them since arriving in prison
- The prison drugs market is driven by the volatile threat of New Psychoactive Substances, especially highly potent synthetic opioids such as Nitazenes (significantly more potent than heroin). Prisoners are coerced into using new, unregulated substances as 'guinea pigs'
- Drugs in prisons fuel violence and debt and exacerbate existing mental health conditions and trauma. With prisoners routinely locked in their cells for up to 22 hours a day, the persistent lack of purposeful activity and boredom drives them to use drugs for escapism
- The illicit drug economy is dominated by Organised Criminal Gangs who monopolise the highly lucrative prison drugs market. Concerningly, the police and prison service have "ceded the airspace" above two high-security prisons, & there has been a 770% increase in drone sightings around prisons. Drugs sell for up to 100 times their street value
- The "fragmented and inconsistent commissioning structure" for treatment interrupts therapeutic progress and is incoherent upon release which jeopardises recovery, guarantees high rates of relapse and contributes directly to the risk of fatal overdose by individuals recently released
- 61% of deaths within 14 days of release were drug-related - 20 within a single day

The report considers the operational constraints on prison governors, tasked with leading the response to the drug epidemic, and highlights how they lack resources, robust data systems and face overly bureaucratic procurement processes. Its scale makes it impossible to deliver a stable, rehabilitative environment.

3.3.3 Fire safety *Annual report of the Crown Premises Fire Safety Inspectorate*

Prison fires and subsequent injuries remain of serious concern with 534 fire related injuries in 116 prisons last year. Fire incidents have doubled over the last five years (twice as many in private rather than public sector prisons). 95% are started deliberately for numerous reasons: challenging prison regimes, conflicts with other prisoners and staff and to inflict harm. Vapes are responsible for causing more than two thirds of fires, and YOIs have also seen more fires in recent years. 44% of prison cells still do not have suitable in cell fire detection, and the Prison Service estimates that 21,000 cells fail to meet fire safety standards.

3.3.4 Prison conditions *Justice Committee report "Ending the cycle of reoffending – part one: rehabilitation in prisons"*

Prison overcrowding, staffing shortages and deteriorating infrastructure is having a profound impact on the ability of prisons to deliver rehabilitation, and prisons are in a "state of disrepair" which undermines the very purpose of imprisonment, to reduce reoffending' (80% of all offending is reoffending). Findings included:

- 50% of prisoners are not involved in prison education or work, despite the high level of need across the adult estate, which is unacceptable
- *Living conditions* are dire and shocking and prisons may be in violation of human rights legislation. Dilapidated buildings and broken infrastructure limit access to rehabilitative spaces and contribute to poor mental health (there is a £1.8b maintenance backlog)
- There is a 'widespread failure' to meet the statutory minimum for *time out of cell*. Many are locked up for >22 hours each day, with limited access to fresh air, showers, or rehabilitative activities which undermines efforts to reduce reoffending and contributes to poor mental health and disengagement. Purposeful activity is central to rehabilitation, yet it is inconsistently delivered and often deprioritised, notably for IPPs

- *Staffing* levels, high turnover, poor recruitment processes, and limited professional development have contributed to a culture that hinders rehabilitation
- *Education* Up to 50% real-term cuts are being made to prison education budgets which is 'alarming'. 75% of Ofsted inspections were rated 'inadequate' or 'showing no improvement'. Education on the youth estate is also in a state of decline
- *Remand* prisoners (20% of the prison population, the highest level in at least 50 years), often spend extended periods in custody, only to be released directly from court following a conviction without any support or intervention
- Current *contracting* and the *procurement* system within HMPPS is inefficient and not fit for purpose and risks undermining both prison management and rehabilitative outcomes
- *Health and wellbeing* services are failing to meet the needs of prisoners, women face acute and complex health needs, yet the system is not providing even basic support

Many of the systemic problems are getting worse.

3.3.5 *Epilepsy deaths Prisons & Probation Ombudsman's Learning Lessons bulletin*

This summarises research from PPO investigations from the past ten years where a prisoner's death was caused by epilepsy or the prisoner was diagnosed with epilepsy (125 cases). It found that care could be improved. Key findings included:

- The number of epileptic sudden and unexpected deaths is higher in prison
- The diagnosis could be improved - 11% of the cases had not been diagnosed
- There is a lower remission rate in prison (18% had not experienced a seizure in the past year)
- Only 38% had a documented care plan
- 74% had a mental health condition - anxiety and depression were the most common. There was a relationship between poor mental health and a disruption to epilepsy care. 75% had experienced stress relating to their imprisonment
- There are higher rates of self-inflicted deaths amongst prisoners with epilepsy
- Drug use is a potential risk factor with 65% having had a history of substance use
- There is often not appropriate monitoring of seizures
- In some cases with protocols for medication adherence, these were not always followed - 28% were not taking their medication
- 69% were not sharing a cell - NICE guidelines suggest that sleeping alone without supervision is a risk factor

3.3.6 *Foreign prison officers*

Foreign nationals working as prison officers in the UK have been given a temporary exemption from new visa rules, following warnings some jails were facing a staffing crisis. Prisons have increasingly been relying on overseas recruits, particularly from Nigeria and Ghana. But organisations representing officers had warned jails faced losing thousands of staff, after the government increased the minimum salary requirement for a skilled worker visa. The MoJ said the move would "ensure jails can continue to run safely with the right level of experienced staff". Under changes introduced in July as part of efforts to reduce migration, individuals must earn at least £41,700 to obtain a skilled worker visa, up from £38,700. The starting salary for a prison officer is generally below this amount. The exemption only applies to applicants already in the country and lasts until the end of 2026, with a lower salary threshold of £33,400 in place until 31 December 2027. The Home Secretary had initially resisted granting the exemption, arguing that the focus should be on recruiting British people but the Justice Secretary stressed that whilst he wanted to recruit more prison officers locally, "the most important thing" was to meet the demand for prison places. More than 700 Nigerians had been recruited to work in UK prisons last year, accounting for 29% of job applicants and 12% of staff hired. This made Nigerians the most common nationality behind Britons to apply for or be offered a job in UK prisons in 2024. This was followed by people from Ghana, who had 140 job offers. The Prison Governors Association has said a surge in applications from West Africa appears to have been fuelled by word of mouth and jobs being promoted online by the expat Nigerian community.

3.3.7 Dartmoor prison Public Accounts Committee

A “catastrophic” decision by the MoJ to sign a 10-year lease on a prison where high levels of a poisonous gas had been detected is expected to cost the UK taxpayer more than £100m. The 2022 deal to rent HMP Dartmoor from the Duchy of Cornwall was signed “in a blind panic” by senior civil servants looking to guarantee prison places. The prison, which held many sex offenders, was closed in 2024 because of levels of radon up to 10x higher than the recommended limit. The government has since admitted that it was aware that “elevated readings” of the gas were found in 2020. Radon, a colourless and odourless radioactive gas, causes about 1,100 lung cancer deaths pa. HMPPS officials failed to negotiate “a good deal” and signed it before carrying out further radon tests. Under the contract, the department cannot terminate the lease until at least December 2033. Overall, HMPPS is currently paying around £4m per year for an unusable prison including rent, business rates and security costs plus the government paying an additional £68m on fabric improvements to the Dartmoor site. The decision to close the jail, forcing the relocation of 682 inmates, followed years of monitoring and attempts to mitigate the radon levels. Staff began monitoring levels in 2010, but the last of the 640 prisoners and 159 staff were not moved out until July 2024. More than 500 former inmates and prison officers are bringing legal claims against the government, claiming their health was put at risk. The MoJ’s permanent secretary said: “At that time, the prison system was at risk of running out of prison places, and Dartmoor provided over 600 places. A sensible and pragmatic decision was taken, when all the information we have now was unavailable, that it was necessary, given the issues the government were facing, to sign the lease and keep Dartmoor open.”

3.3.8 Prison healthcare Report on :The health of people in prison, on probation and in the secure NHS estate in England

Led by the Chief Medical Officer, Professor Chris Whitty, the report is a comprehensive overview of the healthcare of people in prison, on probation or in a secure hospital. The 3 main high level recommendations are:

- There will be an increasing need to prioritise preventive health and healthcare for chronic diseases within prisons as the prison population ages
- Health data are essential for safe, high-quality care, research, surveillance and planning of health services inside and outside prison. It is important that NHS data from care outside of prison can be shared in and out of prison to allow continuity of care. The national partnership agreement for health & social care should prioritise improving data & data information sharing
- People on probation often have high health needs of the general population and this is often not recognised by the NHS, public health and other provider organisations. Integrated Care Boards and Directors of Public Health should work with probation services to understand health needs and design local pathways. Health and justice partners must pay attention to people on probation and develop specific health initiatives eg neighbourhood health models.

3.4 Probation

3.4.1 Rehabilitating Probation A research project report by the University of Southampton

This draws out key lessons from probation renationalisation as a case study of public management reform. The Probation Service plays a vital role in public safety, supervising over 240,000 people in the community and supporting courts, prisons, and the police, and serves as a striking case study of the wholesale renationalisation of a public service. The situation has worsened since probation returned to public control in 2021, with significant staff shortages & staffing needs underestimated making these pressures even more acute. The service continues to struggle consistently to meet performance targets, with many finding it difficult to provide quality supervision with high workloads. The government has pledged extra funding & recruitment, but reforms so far have been insufficient. Structural change leaves deep scars. When reforms pile up, staff experience “repetitive change injury”—stress and fatigue that undermine performance. Probation is a “post-traumatic organisation” struggling to recover at a time when it is expected to do more. The current trajectory is unsustainable & structural reform alone is not the answer. Probation service leaders find themselves caught between the need to meet staff’s need for a period of considerable stability to allow things to settle and for experience to be rebuilt, and the need to take radical action to try to safeguard the

sustainable future of the service. "Probation is very defined by its sense of identity and sense of purpose. You cut into that, you hack at it, at your peril".

3.4.2 Self-defence training *Guardian Article*

Probation officers will be given self-defence training, bleed kits and body-worn cameras for the first time under plans before ministers in the wake of two stabbings, and knife arches and handheld metal-detecting wands, used to search people for weapons, have been approved for pilot schemes in selected offices. This comes days after a staff member was stabbed in a probation office in Oxford, and a man has admitted the attempted murder in July of a female officer in Preston. An internal review of safety procedures conducted in the wake of the Preston attack, has suggested ministers should launch a pilot of Spear training (spontaneous protection enabling accelerated response) for frontline probation staff. Prison reform campaigners urged the government to ensure that relationships between officers and their clients are not damaged by safety measures. Ministers are also considering setting up a pilot for body-worn cameras to record community work sessions. Probation officers are particularly vulnerable to attack because they aim to set up a constructive working relationship with people, often in confined office spaces. As well as offering guidance, they also have to ensure compliance with conditions of release and address any violations.

3.4.3 Serious further offences (SFOs) *Probation Inspectorate annual report*

SFOs are specific violent and sexual offences committed by people who are, or were very recently, under probation supervision at the time of the offence. HMIP is concerned about a sustained increase in the number of notifications of an arrest and charge for an SFO over the last 3 years (478 to 872). SFOs account for < 0.5% of the total probation caseload but their impact cannot be understated. The focus was on the needs of victims and their families, with a number of consistent themes of poor practice including:

- poor communication & lack of transparency, characterised by delays, limited compassion, and delivered as a formality that neither supported the process nor acknowledged the gravity of loss
- Less than half of reviews are good enough
- Some progress has been made on 10 of last year's 11 recommendations but more improvements are needed.

Further recommendations include HMPPS action to:

- devise and implement an approach to engaging with victims and their families, and a clear mechanism by which their feedback can be collected, understood and acted on
- review the support and training provided to staff that deliver SFO findings to victims and their family members, and act on the findings of that review
- gather evidence that action plans are implemented, recurring and thematic learning is identified to make improvements to practice, & updates sufficiently reflect progress & impact
- implement changes to ensure that all SFO reviews are timely & of a sufficient standard

3.4.4 Offender health pilot *Guardian Article*

Offenders are far more likely to have poor physical or mental health or addiction issues, which increases the likelihood of reoffending. A recent report by the chief medical officer found that half of offenders on probation smoked, many had drug or alcohol addiction issues and a majority had poor mental health. They were also less likely to receive screening for prostate, breast, lung or cervical cancers. Many offenders do not receive timely care because they are not registered with a GP, meaning often they seek help for any physical or mental health problems only when their symptoms have become acute, turning to A&E. Under a joint pilot between the probation service and the NHS, up to 4,000 offenders will receive targeted health support during their probation appointments with clinicians and nurses working directly from probation offices and sitting in on appointments between offenders and probation staff. The intention is to ensure offenders are quickly referred to services that are designed to directly address the issues fuelling their criminality, reduce the number of costly missed appointments and help cut reoffending. The scheme is being piloted in Cambridge, Middlesbrough, Ilfracombe and Hammersmith. Health hubs located in probation offices will help offenders to register with a GP and attend cancer screening appointments, and organise referrals to other health services as required.

3.4.5 Naming and shaming people serving community sentences PACT announcement

Back in September the Government was lobbied to scrap plans to 'name and shame' people serving community sentences. They listened. Clause 35 has been removed from the Sentencing Bill in a decision that protects children and families. This would have allowed probation practitioners to publish the names and photos of people completing unpaid work as part of a community sentence. This approach would have risked exposing children and families to harm, made it harder for people to get jobs and rebuild their lives, and done little to reduce reoffending. Pact welcomes the Government's decision to scrap the clause. We now look forward to seeing the Bill come into law particularly the expansion of community sentences which are more effective than prison sentences.

3.5 Youth Justice

3.5.1 Care for girls in custody Announcement of Government plans

Girls in custody are among the most vulnerable children in our society and have complex mental and physical health challenges. Despite making up less than 2% of the youth custodial population, girls account for over half of self-harm incidents, and are five times more likely than boys to be victims of sexual assault. Following an independent review by Susannah Hancock on Delivering the Best for Girls in Custody, the placement of girls in YOIs has permanently ended, instead they will now always be placed in settings more suited to their needs such as Secure Schools or Secure Children's Homes. The following further steps will also be taken:

- New advisory board (Girls in YJ Board) to be set up to champion girls' needs and will include individuals with lived experience of the youth justice
- Targeted investments made into alternatives to custody eg over £560m to reform the children's social care system and support the refurbishment and expansion of the children's homes estate. £40m is also being invested in foster care over three years
- New staff training on responding to self-harm & providing care taking past trauma into account

3.5.2 Policing children in care Article

Vulnerable young people in care who assault staff or damage property will not automatically be arrested by police or charged, under proposals intended to reduce the excessive criminalisation of looked-after children. A government review will examine how children in state care who exhibit challenging behaviour can be offered targeted support such as trauma counselling rather than being punished through the CJS. The aim is to restrict the "over-policing" of looked-after young people and reduce disproportionate numbers who offend while in care – they are 10 times as likely to receive a caution or conviction. The review, expected to report in the spring, aims to tighten an existing protocol that says police should not be used for what it called "low-level behaviour management or matters a reasonable parent would not have called the police over". The Children's Commissioner said her office regularly saw cases where traumatised children taken into care after being exploited, abused or groomed by adults subsequently found themselves subjected to heavy-handed criminal punishment and retribution rather than care and support. "My case workers tell me time and time again about instances of children's homes calling the police because a child breaks something." Research found that children in care were more likely to commit an offence of common assault and battery, or criminal damage under the value of £5,000, or assaulting a police officer. They were less likely to commit drug or knife offences. "This analysis of first offences of children appears to support the idea that for many children who come into care, they are being brought into the criminal justice system by the very people who should be protecting them from it."

3.5.3 Children on custodial remand Children's Commissioner report "A production line of pointlessness"

Last year, 441 children who were locked up in custody awaiting their hearing did not end up receiving a custodial sentence. Another 168 had their case dismissed altogether. Statistics include:

- a decrease in the number of children being remanded into custody (71% cf 94% in 2015-16)
- the nature of remand placements has changed ie a decline in the use of foster care placements from 13% to 5% due to falling availability or increasingly complex needs of

children requiring more specialist foster care placements that are more limited in availability; and more placed with their parents or others with parental responsibility

- Use of custodial remand varied between local authorities, ranging from 100% to 38%
- Despite falling numbers of remand over the last ten years, children can spend long periods of time on remand, which has increased by 89% since 2013-14
- In 2021-22, 14% on custodial remand were there for more than 182 days (over the custody time limit of 56 days in the magistrates court and 182 days in the crown court)
- Evident ethnic disparities
- 11% of custodial remand episodes were for <14 nights and 8% for <7 nights (due to delays in creating bail packages or sourcing suitable LA accommodation)

"We should be clear, however, that custody is the most extreme intervention the state can make in a child's life and it may be necessary in a very small number of serious cases. But it is not, and must never become, a waiting room for children whose real need is care, housing or mental health support. Or as one secure setting staff member aptly described, "a production line of pointlessness". When a child is placed on custodial remand, it must be because there is no other safe and viable alternative." Children most frequently spoke about feelings of uncertainty and anxiety around their court hearings and the potential length of time they may spend in custody. While many said that professionals made genuine efforts to explain the YJ process, children often still struggled to understand. This was largely due to feeling overwhelmed at the time and because the terminology and language was still not sufficiently adapted to their level of understanding. Staff describe children on remand missing out on life events. The Children's Commissioner continues to advocate for an ambitious national reform that re-designs the secure care system to prioritise treating children who offend, first and foremost, as children who are in need of specialised support. She makes two key recommendations:

- The DfE should be responsible for the delivery of all core services for children and there should no longer be continued attempts to reform an unsatisfactory YJ estate that fails to meet these children's complex needs
- A new YJS must be based primarily upon a rehabilitative model of care with an improved education & engagement offer; delivered in smaller, homely settings close to where children live or Secure Children's Homes; and there should be a clear, time-bound plan to phase out all YOIs and STCs

This should be part of a broader reform towards commissioning all high needs accommodation placements on a regional basis. At present, the quality and availability of placements varies significantly between local authorities. A regional commissioning model would ensure that children have equitable access to suitable, high-quality placements designed to meet their specific needs, regardless of where they live.

4. Other issues

4.1 Domestic abuse Article in The Guardian

4.1.1 Sentencing Bill concerns

Violent partners will be allowed to "return to harassing, stalking and abusing" with impunity under a bill before parliament that is supposed to ease prison overcrowding. In a letter to David Lammy, the domestic abuse commissioner said the sentencing bill's aim to re-release the vast majority of offenders recalled to prison after 56 days would mean that victims and survivors "will be put in harm's way" and lead to "devastating consequences", and called for an amendment so that domestic abuse perpetrators who contact their victims go through new risk assessment checks instead of being automatically released after 7 weeks. Crime statistics show a 36% increase in total recalls. Because the majority of domestic abuse crimes are not flagged past the point of conviction, it remains difficult to determine how many perpetrators of domestic abuse have been recalled and re-released, or the basis for their recall. The MoJ said: "The government inherited a justice system in crisis, days away from running out of prison cells which would have left the public and victims at significant risk. This change was recommended by the independent sentencing review, increasing fixed-term recalls from the current 14 or 28 days so probation staff have more time to assess risks and put robust safeguards in place. The most dangerous offenders will only be rereleased once assessed as safe and all offenders released face strict licence conditions and supervision."

4.1.2 Domestic Abuse Protection Orders MoJ & Home Office announcement

Launched in November 2024 as part of the government's mission to halve VAWG in 10 years, and part of the government's Plan for Change, these orders offer victims stronger, more flexible protection. Unlike some previous orders, they have no minimum or maximum duration, allowing courts to set conditions that remain in place for as long as necessary to keep victims safe. A pilot ahead of an expected national rollout, has resulted in more than 1,000 being issued, with perpetrators having to comply with a range of restrictions eg electronic monitoring or 'tagging' and attendance on behaviour change programmes. They cover all forms of domestic abuse and can be issued by all courts and applied for not only by the police, but also by third parties such as local authorities, charities and social services, or victims themselves. Breaching an order is a criminal offence punishable by up to 5 years in prison. This follows continued progress to tackle domestic abuse including through 'Raneem's Law', which embeds the first domestic abuse specialists in 5 999 control rooms. Around 3.8 million people are estimated to have experienced domestic abuse in the last year, and these orders are another vital tool as the government steps up efforts to hold abusers accountable.

4.2 Violence against women and girls Clinks on the Freedom from Violence and Abuse Strategy

This represents a clear acknowledgement of the reality faced by many women and the scale of the problem, promising to 'deploy the full power of the state to introduce the largest crackdown to stop violence perpetrated against women and girls in British history.' Statistics include:

- 1 in 8 women experienced domestic abuse, sexual assault, or stalking in 2024/25
- 200 rapes were recorded by police per day, but is likely to underreported to police
- Over 150 women are killed annually

The Strategy features an ambitious ten-year plan to reduce VAWG by 50%, built on 3 core pillars:

- Prevention and early intervention to address root causes of abuse eg education and cultural change to stop violence before it starts; tackling harmful online content and misogyny; & engaging men and boys in prevention efforts
- Relentless pursuit of perpetrators eg making it a top policing priority, with specialist rape and sexual offence teams in every force by 2029; improving vetting and disbaring to prevent perpetrators from going into policing; expanding Domestic Abuse Protection Orders and intervention programmes; & strengthening probation's role in managing high-risk perpetrators
- Support for Victims and Survivors of Violence and Abuse eg Trauma-informed services embedded across the CJS; investment in Independent Advisors to support victims through court processes; and expanding safe accommodation and referral pathways from custody and community settings

There is much to welcome in this ambitious strategy, and its focus on improving outcomes and the safety of victims through collaboration across health, policing, justice and education, but there are concerns about the role of the voluntary sector in its delivery and the methods of addressing perpetrators including:

- the feasibility of its goals as it makes no mention of specific budgets, funding levels or financial allocations for voluntary-sector providers, nor references to grant amounts, ring-fenced funds, or multi-year funding commitments
- the expansion of "dangerous offender" regimes would lead to more imprisonment without necessarily achieving better outcomes
- increased policing powers risk further racial and gendered disproportionality, felt even more so by victim-perpetrators and victim-survivors who already experience multiple disadvantages
- a lack of detail on how justice agencies will meet the needs of women facing multiple disadvantages who have experienced VAWG
- despite explicitly mentioning the value brought by people with lived experience, the strategy does not appear to acknowledge the possibility that perpetrators can be rehabilitated

For the voluntary sector, this strategy represents both an opportunity for deepened relationships with prisons and probation and several important challenges that undermine the quality of this relationship

4.3 Homelessness strategy National plan for ending homelessness

This explicitly highlights that people leaving prison are the largest group at risk of rough sleeping on release and are 'very likely' to be owed a homelessness duty. It commits to halving the number of people who become homeless on their first night after leaving prison, and to increasing the number in settled accommodation 3 months after release & beyond. Though the ambition is positive, its success relies on broader reforms eg increasing social housing supply, removing barriers to the private rented sector (affordability and prejudice against people who have been in prison), and the unfreezing of the Local Housing Allowance. Poor coordination across public services requires tackling homelessness to be a 'shared responsibility' and shared objective across all relevant public services, supported by a new 'duty to collaborate', which would place 'new legal duties on public services to identify, act and collaborate to prevent and address homelessness.' These are a positive step but require funding and further work to reduce the barriers to housing that are specific to people leaving prison. Additionally, the Government has committed to:

- Investment in new models of mental health support and implementation of the Co-occurring Mental Health and Substance Use Delivery Framework
- Continuation of the Rough Sleeping Drug and Alcohol Treatment programme
- Ensuring that multiple disadvantage is a central part of the new Local Outcomes Framework, placing requirements on local authorities around multiple disadvantage for the first time

The plan marks an important shift in national recognition of the challenges facing people leaving prison. Now, it is contingent on the Government to work with the sector on implementation, leveraging its expertise and providing the resources to make a success of its laudable ambitions.

4.4. Rehabilitation in the digital age briefing from Unlock 'Right to be Forgotten'

This advocates for people with criminal records to be able to move on positively in their lives, examines how the digital age has undermined the promise of the Rehabilitation of Offenders Act 1974 & sets out reforms needed to protect the right to move on from a criminal record. The Act was designed for an analogue world in which criminal record information was accessed only through formal channels and with the individual's knowledge and consent. Today, online news archives, search engines, social media and rogue "naming and shaming" sites mean that criminal records – including spent convictions – can remain searchable indefinitely so for people with a criminal conviction, the digital world can make it almost impossible to leave behind earlier mistakes. Online criminal record data impacts employment, housing and wellbeing, and the harms are unevenly distributed as people with non-anglicised names are more easily searchable, compounding existing racialised discrimination in recruitment. Women are more likely to attract sensationalist media coverage, often linked to trauma and poverty, and are at particular risk from abusive ex-partners who can track them online. Families, especially children, may suffer stigma and bullying linked to a parent's digital footprint. The report states that "Living under this "long shadow" of a criminal record contributes to anxiety, depression, social withdrawal, loss of employment and housing opportunities, and can undermine desistance and trust in state institutions." Recommendations include:

- modernising the Act for the internet era (eg presumption of delisting spent convictions)
- clear public interest tests for retaining historic conviction data
- a specialised Digital Rehabilitation Tribunal for serious offences to review risk, rehabilitation and proportionality on a case-by-case basis
- stronger Information Commissioners Office powers and ethical standards for reporting
- clear regulatory standards for AI-generated or AI-processed criminal record data.

"Rehabilitation is not about erasing the past, it's about recognising change and enabling second chances. Without urgent action, algorithms – not law – will decide who gets to move on"