

Criminal Justice System items to note

Meeting on 18.3.25

1. Statistics

1.1 Prison numbers (to end December) *Quarterly Offender Management Statistics*

Key points:

- The sentenced population was 67,947 (4% decrease from 12 months ago mainly due to change in early release policy)
- Remand population 17,023 (6% higher) ie 20% of total prison population, an all time high
- 12,920 recalls (up 7%)
- 68,765 adjudication outcomes (up 30%) and 50% rise in additional days awarded
- The total number of offenders on probation at end September 2024 was 240,497 (up 1%)

1.2 Drug & alcohol treatment in prisons *Annual data on alcohol and drug treatment in secure settings 2023-2024 report*

- 49,881 adults in treatment (7% rise)
- 58% reported opiate and crack problems (up 2%)
- 42% said they had problems with alcohol
- 91% in treatment were males, 9% were women
- 28% starting treatment were identified as having a mental health need
- Only 53% started community treatment within 3 weeks of release

1.3 Prison Factfile *PRT Bromley Briefings*

- 18% of the sentenced population are now held on recall. Latest MoJ projections suggest a further rise of 13% by 2026. Most recalls are for non-compliance rather than further offending
- 7,406 people are serving a life sentence and have never been released. An additional 839 have been recalled. Those serving a life sentence has almost trebled in the last 30 years
- 32% on remand had been held in prison beyond the 6-month time limit, 5% for longer than 2 years. The government now claims it is too costly to produce data on how much time people spend on remand
- On average, 196 children were held on remand in the year to March 2023 – 44% of children in prison (up 22%)
- Self-harm by women in prison hit a record high of 20,834 incidents last year
- In 2023/24, inspectors judged that 79% of prisons were poor/not sufficiently good at providing purposeful activity – most scoring well were open prisons
- 10,083 people were released early
- 17,314 people were held in 14 private prisons (20% of overall population).
- 18% are aged >50, 4,349 are in their 60s and a further 2,004 people are >70
- Foreign nationals (non-UK passport holders) currently make up 12% of the prison population

1.4 MoJ spending *Institute for Fiscal Studies analysis*

The department's budget was cut sharply in the 2010s (by around one-third). Recent funding injections have been substantial but have not been enough to offset earlier cuts. The MoJ has fared worse than the average department including other 'unprotected' departments (outside of health, education and defence). Had their day-to-day budget increased at the same rate as the average department, it would have been some 41% (£4.5 billion) higher. Of the main components of the MoJ budget, HM Courts and Tribunals Service has been relatively protected (experiencing a 3% real terms cut), while HMPs and the Legal Aid Agency have seen larger cuts (11% and 29% respectively). Capital funding for the MoJ has sharply increased in recent years after falling to almost zero in the mid-2010s. The prison system has been the main beneficiary of this about-turn. Given reasonable assumptions about what might happen to 'protected' budgets in June's Spending Review, 'unprotected' budgets such as the MoJ could face real-terms cuts over the rest of the parliament.

1.5 Increasing demand *MoJ's quarterly criminal justice statistics (to end Sept 2024)*

- 1.51m were formally dealt with by the CJS (up 4%), despite the Crime Survey showing that crime has generally decreased over the last 10 years. So there is not more crime overall but an increase in the number of police activity and improvements in recording practices
- Out of court disposals increased by 1%
- Prosecutions and convictions increased by 5% and 4% respectively
- Magistrates' courts remanded 26% more in custody than last year with 71% sent for trial or sentencing at Crown Court
- The Crown Court increased remands by 15%, the highest volume seen across the last decade, mainly due to severity of offence, risk of reoffending & likelihood of failing to appear
- The average custodial sentence length decreased slightly to 20.1 months
- Those sentenced to immediate custody increased by 8% notably for theft (27%) and public order offences (20%)

The size of these increases in people both remanded in and sentenced to custody shows why the MoJ forecasts such a big increase in our prison population – to 100,800 by 2029.

1.6 Workforce *HMPs quarterly workforce figures*

Overall, these show that things are getting worse.

Prison staff:

- significant decrease of 509 FTE prison officers (2.2%)
- slight decrease of 82 FTE (1.5%) operational support staff
- 1.1% increase in leavers (66.6% resigned, 20% were dismissed, 5.8% retired)

Probation staff

- decrease of 153 FTE band 4 probation officers (2.8%)
- decrease of 270 FTE band 3 probation officers (4.8%) due to fewer trainees this year
- A new target has been set to recruit 1,000 new probation officers by the end of next month and a further 1,300 by March 2026

1.7 Disproportionality *report from the Youth Endowment fund on Racial disproportionality in violence affecting children and young people*

While many previous reports have highlighted racial disproportionality in the YJS, this report adds new insights by focusing specifically on violence. Key findings are that children from certain ethnic groups are disproportionately likely to:

- be victims of violence, especially Black CYPs, and are 6x as likely to be victims of homicide
- be represented in the CJS and to become involved in violence, including as victims eg Black children aged 10–17 (6% of the general population) represented 10% of arrests, 15% stop and searches and 24% of the monthly youth custody population. They are also 5x more likely to be sentenced to custody for homicide and are more likely to self-report being involved in assault both as victims & perpetrators
- There are also other significantly over-represented groups eg children growing up in poverty and children in care, which intersect with racial disproportionality
- Broad ethnic groupings can mask important underlying differences eg children from Gypsy or Irish Traveller backgrounds are significantly over-represented in the CJS. 10-17-year-olds from Black Caribbean backgrounds are significantly more over-represented in arrests, than children from Black African backgrounds

Racial disproportionality has been getting worse over the last decade. While the total number of children involved in the CJS from all backgrounds has been falling, those from Black or Mixed ethnic backgrounds has increased over the last 10 yrs. Despite small improvements, disproportionality in homicide rates has stayed consistently higher than it was 10 years ago.

1.8 World Female Imprisonment *Institute for Crime & Justice Policy Research prison population*

Data reveals that the number of female prisoners has grown much faster than that of male prisoners. Since 2000, the number of women and girls in prison has surged by 57% cf 22% males. Over 733,000 women and girls are currently incarcerated worldwide. Key findings include:

- The USA has the highest number of female prisoners (c174,607). Other high rates are China (145,000), Brazil (50,441), Russia (39,153), and Thailand (33,057)
- The number of women and girls in prison has risen particularly sharply in some countries since 2000 eg in Cambodia (>9x more), Indonesia & El Salvador >7x), and Brazil (5x)
- Women and girls make up 6.8% of the global prison population (UK 4.1%)
- Figures vary considerably across Europe ie from Albania 1.3% to Russia 8.9%

The Director of the World Prison Research Programme said: "The rapid rise in female imprisonment across so much of the world is a troubling sign of our times."

2. Sentencing

2.1 Independent Sentencing Review Part 1 publication on History and Trends in Sentencing

David Gauke published this, explaining why we have reached the current crisis in prison overcrowding. In his foreword, he summarises: "The reality is that our prison population has grown very rapidly over the last 30 years and the principal cause of this increase is that prison sentences have been lengthened substantially by successive governments. It is an approach that has emphasised the importance of punishment understood primarily as incarceration – an important aspect of sentencing policy – but has been insufficiently focused on the most effective ways to reduce crime." The report states: "The "tough on crime" narrative has focused primarily on punishment ... on occasion responding to embedded misunderstandings about sentencing and high-profile individual cases. In tandem, there has been an underinvestment in probation and other alternatives that can provide rehabilitation and reduce reoffending." It concludes that the political impetus to simplify CJ policy to a "lock them up and throw away the key approach" is costly and ineffective: "The piecemeal and unstrategic manner in which sentence lengths have increased in recent decades has meant that there has been insufficient consideration of all of the statutory aims of sentencing: punishment, crime reduction, reform and rehabilitation, public protection and reparation. Punishment is an important aim for the CJS and prison plays a vital role in delivering punishment. But too often decision-making has been based on an approach that punishment is all that matters, and that the only form of punishment that counts is imprisonment." The consequences of this approach "has left England and Wales with a very high prison population by historic and international standards, which has diverted resources from other parts of the CJS that could contribute more to reducing reoffending ". A more balanced approach would enable resources to be "more effectively deployed to reduce crime and the number of victims." Part 2, expected in "Spring", will set out proposals for reform.

2.2 A new approach to making sentencing policy *Extract from a guest post by Rt Revd Rachel Treweek, Lead Anglican Bishop for Prisons*

The approach to so much in society fails to start with long-term vision and instead focuses on short-term fixes for presenting issues. This is certainly true regarding CJ and prisons, and we need to expand our imaginations and resist the expansion of prisons and the prison population. The popular narrative that locking more people up and for longer will make our streets safer and strengthen our society, is not supported by the evidence. Current penal policy is largely failing victims and offenders and wider society, and we are lacking the vision of the sort of society we want to see. My aim is to support Ministers to make objective, evidence-based sentencing policy within an emotionally charged context based on a distorted public perception of crime. This builds on the Justice Select Committee's 2023 recommendations, and I am proposing the establishment of an independent advisory body on sentencing in conjunction with an increase in transparency in decision-making and to link funding to policy changes. My hope and prayer is that by taking an alternative approach to sentencing, Ministers would make evidence rather than emotionally based decisions. This is not intended to undermine their decision-making, rather it aims to help them go where the evidence points when there is enormous pressure to do otherwise. Where Ministers believe it is in the public interest to set aside independent advice, they remain free to do so but must set out a rationale to Parliament and make a commitment, agreed with HM Treasury, to increasing the relevant budgets. It is worth reflecting on the CJ outcomes in the Netherlands (eg lower prison populations, a wider range of community sentencing and better use of public money) where politicians delegate more control to officials and crime is less of a political football.

3. CJS agencies

3.1 Courts

3.1.1 Intensive Supervision Courts *MoJ Interim Process Evaluation of the pilot intensive supervision courts*

This is a problem-solving approach that diverts offenders with complex needs away from short custodial sentences and into enhanced community-based sentences which aim to address underlying issues linked to offending. The pilot is testing a model of community sentence management between probation and the courts. Most people (41 out of 63) would have otherwise received a custodial sentence. People are receiving tailored support packages, and some have accessed mental health treatment for the first time. Overall, there appears to be good engagement with order requirements and people being committed to custody through early terminations of their ISC order are low. Some have reduced their drug and alcohol intake. Other early outcomes include improved mental wellbeing and relationships with families. The rigorous requirements of ISC orders have helped give people a purpose and a routine which can have wider positive effects on their behaviour and wellbeing. An outcome evaluation is due later this summer. It is known that the Sentencing Review being conducted by David Gauke is interested in the viability of ISCs.

3.1.2 Structural reforms to the court system *Magistrates Association response to the Courts Review*

This made recommendations in key areas to increase crown court capacity for the most serious cases, including increasing the proportion of less serious cases dealt with in magistrates' courts, utilising youth magistrates in cases involving 18-25-year-old defendants and resolving the bottlenecks in magistrates' courts. In particular:

- Extending magistrates' sentencing range in adult courts to 24 mths, aligning it with the youth courts which has proven effective; removing the category of 'either-way offences' and transferring the decision on case allocation to the magistrates' court; and establishing intermediate courts to handle cases with maximum custodial sentences of 2-5 years, composed of a bench of one district judge and two lay magistrates
- Youth courts and young adult defendants - where a defendant is aged 18-25, at least one magistrate but ideally more on the bench should be a trained youth magistrate
- Resolving bottlenecks by not only increasing court resources but also the availability of legal advisers and probation officers ie a long-term, sustainable and considered investment in the whole CJS

The national chair said: "Crown court backlogs remain at record levels and delay justice for all – victims, witnesses and defendants. So, we welcome this critical work to explore options and recommendations for reforming the criminal courts, ensuring cases are handled proportionately and efficiently. Our consultation response focuses on structural reforms to the court system as they pertain to magistrates".

3.1.3 Courts Review *Bar Council Submission*

The Bar Council says that first-time perpetrators of low-level crimes should be diverted from trials by paying compensation to victims or enrolling in rehabilitation to solve the courts crisis. The government has proposed abandoning jury trials for some offences to tackle the backlog in crown court cases, but the Bar Council said this was "not a principled response" and would not work. They also said the proposal to create a third intermediate court would not offer a solution to a situation caused by more cases coming through the system. There was a shortage of judges in magistrates and crown courts and it was not clear who would staff another court. It said the number of cases going into the system needed to be reduced by other means and suggested that some first-time offenders, where the crime was low-level, could avoid trial or prison by agreeing to alternative justice measures, including paying compensation, engaging with a victim or undergoing rehabilitation and training. To further alleviate pressure on crown courts, they said district judges should have their sentencing power extended to 2 years' imprisonment and that there be a greater use of cautions for low-level offending by those of good character. Cases where the defendant was clinically insane could also spare court time by entering a verdict at an earlier stage to avoid trials where the only likely sentence was treatment.

3.2 Prisons

3.2.1 Tackling organised crime and prison gangs *Government statement*

The prisons minister has announced that the Prison Service's serious organised crime unit is being expanded, and voiced concern about drone use and corruption of officers. A cadre of officers dedicated to smashing gangs in prisons in the face of escalating drone use and drug-related violence is being developed. Of over 87,000 prisoners in December 2023, HMPPS estimated 10.6% were involved in organised crime. New measures are being introduced to tackle drones - there were 1,296 drone incidents at prisons in the 10 months to the end of October 2024, 10x more than 2020. Gangs are also imposing debts upon very vulnerable new inmates if a previous cell occupant owed drug money. A record 165 prison staff were sacked for misconduct in the year to June 2024 and an internal HMPPS counter-corruption unit has been employed to "deter, detect and disrupt" prison staff who work with organised crime groups. Three former governors recently warned that prisons could become like Latin American jails where criminal gangs are in control.

3.2.2 Physical health in prison *Justice ExChange (network of prison lived experience)*

People in prison are generally in poorer health compared to the general population and HMPPS has adopted the age of 50 as the start of 'old age' in the prison population, based on evidence that the health-related needs of people in prison are brought forward by around 10 years, relative to people in the general population. Key findings from the survey include:

- 40% waited >a month for a GP appointment, and a further 7% never got an appointment
- 38% waited >3 mths for a dentist appointment, and a further 24% never got an appointment. 34% were aware of people who had resorted to doing dentistry on themselves or others
- 35% who needed to see an optician said they never got an appointment
- 45% had appointments at a hospital during their sentence - 34% were unable to attend
- 43% said they did not get the treatment they needed from the medical professionals they saw, and 60% said they had a longer period of pain and discomfort as a result. 12% said they were then not able to work when they were released from prison
- 75% said they were aware of people not able to get the medication they needed, 65% said they saw people using other people's medication, and 64% knew people who used illegal substances as a result

3.2.3 Prison deaths *MoJ statistical bulletin*

The number of people dying in prison rose by 10% last year ie 342 people. They included 89 recorded as "self-inflicted", and there were 7 homicides – the highest number since 2015. Prisons saw 77,869 incidents of self-harm in the 12 months to the end of September 2024 (213 per day on average). The self-harm rate among men rose by 14%, reaching a new peak but the rate of self-harm among women remains much higher, now standing at 8x the rate for men. Over the same period, prisons recorded 29,881 assaults (14% rise). The Howard League for Penal Reform CEO said: "2024 was a terrible year for people living and working in prisons, and no statistic can adequately convey the scale of suffering and human misery that exists behind bars. The rising death toll is a tragic consequence of the neglect and decay in a toxic system that has been asked to do too much, with too little, for too long. The government has taken steps to reduce the prison population in the short term, but numbers are rising again and further action will be needed to save lives and help people move on from crime. The sentencing review now in progress presents a chance to reduce the load on a CJS that is holding the country back and stands on the brink of collapse. This is an opportunity we must grasp with both hands, and there is not a moment to lose."

3.2.4 Prison capacity review

The Lord Chancellor has commissioned Dame Anne Owers, former Chief Inspector of Prisons, to consider the reasons why prison supply and demand did not meet and make recommendations which may help future governments avoid the cycle of repeated prison capacity crises. The following areas will be considered to shine a light on relevant decision making and an analysis of impacts on the wider CJS:

- Strategic supply and demand choices including how these choices affected projected capacity gaps; the extent to which options to manage the level of demand into the system were considered; and to what extent impacts on wider CJ partners were considered,
- Structures and early warning signs ie to what extent were the structures in place to monitor and manage prison capacity sufficient to enable decisions to be made about capacity
- Lessons for future governments - what action or structures, if any, would help future governments avoid the cycle of repeated prison capacity crises

The review will report within 3 months.

3.3 Probation

3.3.1 Probation unification in England and Wales two years on *New research on probation practitioners' reflections: A fork in the road*

This reflected experiences of living through a period of profound organisational change, described by HMPPS as the “transformation phase”, with the official strapline “Assess, Protect and Change”. This came before the probation “reset” of last summer which presented the service with even more challenges. The research team identified four overarching themes:

- a continued sense of change trauma being experienced
- an enduring sense of individual and collective operational vulnerability
- a sense of opportunities being missed to pull through practice learning
- uncertainty about the capacity of local level leaders to direct practice.

In their analysis, the researchers highlight three key emergent challenges which they believe should result in a re-drawing of the unification road map, describing them as “a fork, or series of forks, in the road”:

- *CRC practice* has been ignored with opportunities lost to fully reflect upon and integrate the learning & experiences of the different constituent groups brought together through unification
- *Localisation* a lack of capacity to empower more local level decision and investment to support service delivery. With a feeling of ‘being part of a national organisation that doesn’t really understand the regional and local differences’ which stifles individual innovation and ingenuity
- *Disproportionate focus on risk management* A widespread concern that staff were not able to provide an individually tailored service which focused on promoting desistance eg “we are treating everything at the same level and it’s very much based on management of risk, rather than enabling people to make positive changes.” National directives were seen as making practice robotic and eroded the last vestiges of professional discretion.

They conclude that “climates of uncertainty impact on the well-being and capacity of individuals to deliver good practice. The consequences of staff shortages and an overwhelming sense of constant scrutiny, that has the scope to isolate individuals for blame, are layers of individual and collective operational vulnerability.” There appears to be no let-up in the pressures of constant change, under-staffing and over-bureaucracy that have beset probation practitioners for well over a decade now.

3.3.2 Future of the Probation Service *Statement from the Justice Secretary*

This set out the vision for the future of a Probation Service that protects the public, reduces reoffending and makes our streets safer as part of the Government’s plan for change. She argued that probation officers have been asked to do too much for too long. They have been burdened with high workloads and a one size fits all approach to managing offenders, regardless of the risk that they present to the public. This has meant officers have been unable to pay enough attention to those offenders who pose the greatest risk to society. This has led, in some cases, to missed warning signs where offenders have gone on to commit serious further offences. With all probation units inspected in 2024 marked as “inadequate” or “requires improvement”, changes will now be made to help staff refocus their efforts where they have the greatest impact – with those who are a danger to the public, and the prolific offenders whose repeat offending make life a misery for so many. That means we need to change our approach to low-risk offenders by tackling the root causes of their reoffending, and end a one-size-fits-all approach that isn’t working. Probation staff will now intervene earlier to understand the support they require and refer them to the services that will tackle the root causes of their reoffending. These interventions are crucial as the latest data

shows that the reoffending rate for those without stable accommodation is double, those employed 6 weeks after leaving prison had a reoffending rate around half of those out of work, and reoffending amongst those who complete drug treatment is 19% lower. This will help tackle the pressing issue for the CJS of a reoffending rate of around 80%. Key points were:

- More intensive supervision of medium and high-risk offenders
- An extra 1,300 new probation officers to be recruited by March 2026
- New tech to increase officers' face to face time with offenders by a digital tool; exploring the potential of AI to automatically record and transcribe supervision conversations; and trialling a new system for risk assessing offenders
- Process to prioritise accredited programmes delivered to offenders at the greatest risk of reoffending or causing serious harm.

3.3.3 Unpaid work HMIP thematic inspection on the delivery of unpaid work

This found that, while recent improvements in delivery are encouraging, its full potential to deliver effective punishment and essential life skills has yet to be realised. The Chief Inspector summarised the findings: "This inspection took place during a challenging time for the Probation Service. Probation regions were preparing for the early release of prisoners, and service delivery was being adjusted in line with the probation reset. Positively, we found that performance in this area has improved significantly over the past 2 years. However, building a renewed confidence in unpaid work will be crucial in delivering effective punishment and making a positive impact on people's lives." 33,140 UPW orders were made in 2023/24. There remain areas that require improvement eg 31% of orders terminated without completion of the UPW requirement. Overall, inspectors concluded that UPW projects were well managed and well supervised. A number of recommendations were made to HMPs including to ensure that education, training, and employment undertaken as part of UPW are accessible and aimed at building employment-related knowledge and skills; and increasing the number of UPW placements that offer practical vocational training and meaningful employment opportunities.

3.4 Youth Justice

3.4.1 Learning lessons on transition Alliance for Youth Justice briefing

The report urges the government to protect the distinct, child-centred nature of the children's secure estate and to develop tailored approaches to custody for young adults. It analyses the destabilising impact of the government's 2022 decision to temporarily raise the transition age between the two estates from 18 to 19. This policy, introduced as a response to overcrowding in adult prisons, led to a 253% increase in the number of over-18s held in the children's estate, placing immense strain on an already fragile system. It warns of long-term risks to children's welfare and the distinct identity of the YJS if boundaries between youth and adult justice systems continue to blur. Key recommendations include:

- Use of custody as a last resort
- Remove the Youth Custody Service from HMPs and create a Department for Children
- Ensure the distinct character of the Children's Secure Estate
- Develop a comprehensive plan for young adults in custody

Concerns were summed up as: "We are at a critical juncture in the YJS. Over three-quarters of children and young people are housed in YOIs that are not fit for purpose. Our research shows that the increase in over-18s held in these institutions, between 2022-24, through a temporary transition policy only exacerbated the issues on the ground. Volatile and failing regimes struggled to meet the needs of children and young adults in their care. This policy was made, not with the needs of children in mind, but to alleviate overcrowding in the adult estate. It represents a slippery slope towards adultifying youth custody. This must be guarded against, and the rights and needs of children must be the foremost consideration in any decisions affecting them. The cruel irony is that the number of children in custody was declining prior to 2022, providing a perfect opportunity to address the challenges faced by the children's secure estate. The MoJ must now ensure custody is only used as a last resort and that children are held in small, welfare-based, and rights-respecting units such as Secure Children's Homes. The last remaining Secure Training Centre must also be closed."

3.4.2 Working with young adults in contact with the CJS *Clinks review*

In recent decades, policymakers have become increasingly aware that our legal definition, which treats all people aged 18 years or older as adults, does not reflect the neurological process of maturation. Policymakers across all parts of the CJS have recognised this although changes in practice are variable at best. There is now a considerable body of evidence on the maturation process and best practice in working with young adults (typically defined as those aged between 18 and 25 years) in contact with the CJS. We know from neuroscience that in all young adults, the brain regions responsible for decision-making and for moderating behaviour are still developing in crucial ways. This affects temperance (self-restraint), responsibility and perspective, which together make up 'psycho-social maturity'. During this phase, we may not get the balance right between taking and avoiding risks. Young adults may have difficulty in understanding the pay-off between immediate and consequent actions, perhaps tempted by shorter-term gains that may have detrimental longer-term impacts. Importantly, a number of capacities have not yet integrated fully into young adults' executive functioning. While the system currently determines that young people over 18 should be dealt with as adults, it cannot be assumed that becoming 18 is a useful indicator of maturity. Young adults are disproportionately represented in the CJS and make up a significant proportion of prison and probation cases. Despite constituting 10% of the UK population, in 2022, young adults made up 27% of people in prison and 18% of those on probation. The age-crime curve is a well-known criminological concept that illustrates that young people naturally stop committing crimes as they age: the prevalence of offending peaks during the teenage years and then declines from the early 20s. While there are no known evaluations of interventions that aim to increase psychosocial maturity in young adulthood, some programmes show effectiveness in building skills like emotion management, problem-solving, consequential thinking and managing impulsivity and reducing re-offending.

4. Other issues

4.1 Domestic abuse

4.1.1 Coercive control *Government announcement*

This is to be put on a par with other forms of domestic abuse with police and other enforcement agencies working together to tackle it. Offenders serving a sentence of at least 12 months for controlling or coercive behaviour will now be automatically managed under multi-agency public protection arrangements (Mappa). This means the police, probation service and other agencies will be legally required to share with one another information about offenders that suggests they are a risk to others eg their former partners or members of the public. The provision was part of the Victims and Prisoners Act, which was passed under the previous government last May. Charities say coercive control is at the heart of domestic abuse. Offenders managed under Mappa have a reoffending rate less than half of the national average. The Minister for prisons & probation stated: "Domestic abuse creates fear and isolation, and I will do everything in my power to tackle it and ensure women and girls feel safe in their homes. This new approach will put controlling or coercive behaviour on a par with physical violence and will help prevent these despicable crimes."

4.1.2 New policy for domestic abuse *Government announcement*

A pilot has started, to embed domestic abuse specialists in control rooms receiving 999 emergency calls in order to "create force-wide cultural change". This is the first phase of "Raneem's law" in memory of Raneem Oudeh, who was killed alongside her mother by her ex-husband whom she had reported to the police at least seven times, as well as making four 999 calls on the night she was murdered. The new policy, with specialists giving feedback on responses to emergency calls, is being piloted in five police forces, and could be rolled out across the whole country by the end of the year. Domestic abuse specialists from local charities will sit at desks alongside call handlers, listening in live to 999 calls and also giving feedback on recordings of calls, providing training to staff and signposting to tailored support. The home secretary said: "Every 30 seconds, someone calls the police about domestic abuse – over 100 people every hour seeking urgent help. That's why we are determined to overhaul the police emergency response to domestic abuse, making sure that victims get the specialist support and protection they need."

4.2 New legislation The Crime and Policing Bill introduces a range of measures including:

- *Tackling antisocial behaviour* eg introducing respect orders, and removing the need for police to issue a warning before seizing vehicles being used antisocially
- *Tougher action on knife crime* including creating a power to seize, retain and destroy bladed articles found on private property & increasing the maximum penalty for sale of dangerous weapons to under 18s
- *Protect retail workers* ie a new offence of assaulting a retail worker and repealing section 176 of the Anti-social Behaviour Crime and Policing Act 2014 which downgraded the police response to so called “low-value shop theft”.
- *Protecting vulnerable children and adults* eg a new offence of child criminal exploitation, and making ‘cuckooing’ a specific offence
- *Tackling child sexual abuse* eg by banning AI-models optimised to produce child sexual abuse material, and criminalising moderators and administrators of websites that host child sexual abuse material
- *Implement recommendations from the Independent Inquiry into Child Sexual Abuse* eg a new duty for adults working in relevant activities to report instances of child sexual abuse
- *Tackling violence against women and girls* eg criminalising the taking of intimate images, creating a new standalone spiking offence and strengthening stalking protection orders
- *Strengthening the supervision of offenders in the community* ie reforming the ability of the police to manage registered sex offenders, and giving probation officers the power to polygraph test more serious offenders who have committed sexual or terrorism motivated crimes
- *Introduce new public order powers* eg banning the deliberate use of face coverings to conceal a person’s identity during a protest, and possessing fireworks, flares and other pyrotechnics at protests

The current estimated cost of the measures in the bill is £48.65m pa once fully implemented. The estimated monetised annual benefit is £11.81m.

4.3 Shoplifting British Retail Consortium

UK retailers are warning that crime in their stores is “spiralling out of control” with 55,000 thefts a day and violent and abusive incidents rising by 50% last year. More than 70 incidents a day involved a weapon with verbal and physical attacks, violent threats, and sexual and racial abuse in shops soaring to more than 2,000 a day in the year to the end of last August, up from 1,300 the previous year and more than three times the 2020 level. The thefts have cost retailers £2.2bn with many more incidents linked to organised crime as gangs systematically targeted stores across the country. The rise in shoplifting has partly been seen as the result of a squeeze on household finances amid high inflation in recent years, but retailers said it was down to organised gangs stealing to order. They said retail had been seen as a soft target since the 2014 law change which has meant those stealing goods worth less than £200 are usually spared any jail time. A lack of priority by police was also to blame as officers often failed to attend, even when private security staff had apprehended someone with stolen goods. Self-service checkouts and self-scanning devices are more open to abuse as retailers cut back on the numbers of staff in stores. “Only if the industry, government and police work together can we finally see this awful trend reverse. With little faith in police attendance, it is no wonder criminals feel they have licence to steal, threaten, assault and abuse. Retailers are spending more than ever before, but they cannot prevent crime alone. We need the police to respond to and handle every reported incident appropriately.”

4.4 Specific case examples

4.4.1 Home detention curfew failure Article in The Guardian

A 78-year-old climate protester has had her prison term extended for being “unlawfully at large” when government contractors were unable to find the right-sized tag for her wrist, which would have allowed her to complete her sentence in the community. A retired teacher was sentenced to 20 months for her participation in a climate protest on the M25 in 2022 and was released last November under the HDC scheme. Because of a history of deep-vein thrombosis, she could not have a tag attached to her ankle and no wrist tag that fitted her could be found. A letter was

delivered to her cell following recall saying that her time behind bars had been extended by 20 days to cover the time she waited at home to be arrested. 25 legal, women's and prison reform organisations and researchers have written to the justice secretary asking her to use her discretionary powers to revoke her recall, find a suitable tag for her to wear, and launch an inquiry into the systemic failures that led to this situation. "This is not a matter of public safety, as she has demonstrated full compliance with her curfew terms. Her recall serves no purpose other than to exacerbate the punitive aspects of her sentence." MoJ sources said that the law considers she was unlawfully at large for the period between being recalled and the police actioning this and that "officials are obliged to ensure she serves these 20 days of her original prison term"

4.4.2 Racism in prison mother and baby unit

The MoJ has apologised to a black woman who suffered racist abuse in a prison's mother and baby unit where her son was referred to as a "monkey". The incident, in which the baby was taken from his mother, happened in July 2018, but investigations and years of litigation followed before the case was finally settled. The woman has now received a 5-figure compensation and a detailed 3-page apology letter from the MoJ. She also received an apology from Action for Children which was running the mother and baby unit at the prison. The woman, of African heritage, said: "What happened to me was clear, direct racism. I'm scarred by it and I'm still suffering mentally. Getting a payout doesn't change those feelings." The woman was sent to prison for 2 years after a fraud conviction. After he was born, she was allowed to keep him at the mother and baby unit where she experienced racism for the first time in her life. The abuse from white prisoners included her baby being referred to as a "monkey" and someone spitting in her drink. The letter said it found no evidence that Action for Children operated in "a systematically racist and discriminatory manner" but accepted that a former employee made "racially emotive comments" to her including saying she should go back to her country on a banana boat and telling her: "You black people are too loud and aggressive." The baby was taken from her to live with his grandmother after an emergency separation meeting at the prison that she was not informed about. This separation was later found to be unjustified. A Ministry of Justice spokesperson said: "HMP/YOI New Hall has since made significant improvements to its mother and baby unit, including introducing a full-time midwife and reviewing processes to better respond to complaints. The government has also launched a new Women's Justice Board to reduce the number of women in prison, including mothers, and better support those who still must be imprisoned."

4.5 Women offenders

4.5.1 Women's Justice Board *Launch by the Justice Secretary*

This brings together CJ experts to identify better ways to stop women committing crimes and make streets safer as part of the Government's Plan for Change. 55% of women prisoners are mothers, and children's lives are often upended when the parent they most depend upon goes to prison (estimated to be 17,000 pa). A key priority of the Board will be to ensure punishments for female offenders do not also punish their children. Two-thirds of women prisoners report being victims of domestic abuse. The group will publish a new strategy later this year, looking at options to cut reoffending eg women's centres, drug rehabilitation and tagging. A further £7.2m has been awarded this year to charities, community organisations and PCCs to support existing work. The Board will be supported by the new Women in Justice Partnership Delivery Group, to include external experts from the voluntary and community sector, recruited by open competition, as well as senior government representatives from other departments. This Group will be tasked with implementing the work identified by the Women's Justice Board to drive progress towards the goal of reducing the number of women in custody.

4.5.2 Violence against women and girls *National Audit Office report*

This is a significant problem that affects at least 1 in 12 women pa, but efforts by the Home Office and other government departments to address the issue in recent years have not led to improved outcomes for the victims or the safety of women and girls more widely. In 2022/23, 20% of all police-recorded crime was related to VAWG, the victim was female in 86% of all police-recorded sexual offences, and over 97% (23,723) convicted of sexual offences were male. The Home Office

introduced the VAWG Strategy in 2021, the third one since 2010, and published the Domestic Abuse Plan in 2022. However, the Home Office does not know what effect government's work has had on VAWG. Key findings of the review included:

- VAWG is a serious and growing problem
- The Home Office has not led an effective whole-system response and a coordinated effort and commitment of many government departments has been lacking. The Officials' oversight group, to progress the Strategy, did not meet until a year after the Strategy's launch
- The lack of a consistent definition for VAWG across public bodies and differing approaches to measuring its scale has made it difficult to measure progress consistently. The Home Office's definition of VAWG includes all victims (all ages and genders) whereas police forces only include women and girls
- Commitments have been behind schedule since the beginning of the Strategy.
- The Home Office did not develop the Strategy based on an understanding of what works with little evidence that they had applied learning from previous strategies
- The Home Office has not made the most of the available expertise and knowledge to inform the Strategy

The Home Office is conducting a review to improve its ability to tackle VAWG, in parallel with developing a new strategy, due in spring 2025. Despite the review being due to complete in spring 2025, the scope of the review was still evolving in November 2024. The NAO makes three key recommendations for the Home Office to take forward the new VAWG strategy more effectively:

- establish a shared vision for how the government's target to halve violence against women and girls will be met
- strengthen accountability for delivering against the government's target
- embed learning and evaluation through the new strategy.

4.5.3 Prison-based social workers pilot Evaluation report

The MoJ has estimated that 55% of women prisoners had a child under 18, and a pilot has been set up in four prisons to support women with family court proceedings, parental rights and maintaining or strengthening family ties. The evaluation found that the pilot had "provided clear and incontrovertible evidence of the need for a qualified, prison-based social worker". Other findings included that:

- they played a significant role in supporting women in managing mental health difficulties
- All mothers were 'very satisfied' with the social worker service, and 91% reported feeling supported by professionals within the prison
- For 88%, contact issues were resolved in the child's best interests
- Their specialist knowledge had benefitted prison staff by upskilling and educating them about the legal landscape around maternal relationships
- The practitioners had demonstrated their ability to work for the benefit of the child & mother.
- The pilot had demonstrated that mothers could, with the right support, continue to play a role in their children's lives and be involved in decisions relating to their welfare, where this was in the best interests of the children
- For those children where ongoing contact was not appropriate due to the nature of the mother's offence, early data suggested that skilled support and being transparent with mothers was having a positive impact on wellbeing and contributing to the child's identity through life story work

The government has been urged to invest in social workers in every women's prison.

4.5.4 Time to care: what helps women cope in prison? HMIP thematic review

This concludes that officers too often failed to provide enough support, women struggled to keep in contact with their loved ones and too many spent long periods locked in their cell with nothing to do. There were also astonishing gaps in basic decency and an overreliance on using physical force to manage women in acute and obvious crisis. The review was undertaken because of concerns about the very high and increasing levels of self-harm in women's prisons, the paucity of regimes, the difficulties in enabling visits, the lack of training or support for officers and a failure to help women cope. The findings are deeply depressing, with inspectors concluding that individual jails

and the prison service are not doing enough to understand the needs of this population or take action to make sure that women receive appropriate support. The report lists a wide range of basic issues which women's prisons were mainly failing to deliver:

- insufficient use of peer support which could have benefited both supporters and supported
- the limited regime meant that many were spending long periods locked up with nothing to do which increased their distress and likely caused some to self-harm
- they were often not able to eat together and much of the activity they were assigned to was mundane, unsuitable and regularly cancelled
- lack of access to suitable clothes and many had to wear ill-fitting, prison-issue clothing designed for men. One indication of the apparent lack of respect towards them is that prison leaders recently told inspectors "that the bizarre rule that has prevented women from washing their underwear in a washing machine is to be changed."

Women in acute crisis and self-harming require support from well-trained and confident staff. Inspectors often found officers who did not know how to respond to these difficult circumstances and quickly reverted to the use of physical force and anti-rip clothing. The Chief Inspector's blunt conclusion could not be more damning:

4.5.5 Why are women still being sent to prison as 'a place of safety'? Newspaper article

A lack of mental health beds means a woman is taken to prison "as a place of safety" and there she'll stay, unsentenced. Typically, a woman on the street behaves erratically and police pick her up, concerned she might harm herself or others. Perhaps she'll be held in a police car or cell for a while, charged with disorderly conduct, or perhaps she'll be taken to hospital. But increasingly a lack of mental health beds means she is then taken to prison "as a place of safety" and there she'll stay, unsentenced and without specialist care, sometimes lingering in a cell for more than a year. They include people whose psychosis can make them violent, meaning they are held in isolation, and people so driven to harming themselves "they have repeatedly blocked their own airways with bedding, removed teeth or maimed themselves to the point of exposing their own intestines." There were 11 suicides at HMP Styal between 2007 and 2024, more than any other women's jail. One 18-year-old was arrested in 2020 for stealing a pair of trainers and assaulting emergency workers who had intervened. When apprehended, she poured petrol on herself and tried to drink it; instead of being offered psychiatric treatment, she was sentenced to 12 months. A woman detained there at the same time said it was "no place for a vulnerable young woman" and that she "needed help yet found herself in the same pit of monsters as me". Another example is a jury concluding that Eastwood Park prison failed to provide for a 36-year-old's "basic human needs" and that neglect (including a 10-day wait for clean underwear) contributed to her death by suicide. She was being held on remand during an acute mental health crisis – campaigning for access to her children, she was arrested holding a knife to her own throat. The prison was aware of her history of suicide attempts and self-harm and had been warned that her autism and PTSD made prison (with its noise and regular use of force) particularly difficult for her to cope with. Less than three weeks after she arrived, she was dead. Her daughter said "Mum was ill, not bad." Prison is not a place of safety. For women especially, it is a place of chaos and trauma where vulnerable people struggle to maintain their dignity, let alone sanity. And into these containers of suffering are dropped women whose only crime is mental illness, who are not only locked inside bodies that are attacking them, but inside cells that inspire violence. Their presence imports further vulnerability to the prisons, to both prisoners and to staff, unequipped to deal with either complex mental health problems or the violence they might provoke. Prison is not a place of safety, it's a place often, of dark and utter terror.