

# **Criminal Justice System items to note**

## **Meeting on 9.9.25**

### **1. Statistics**

#### **1.1 MoJ statistics on the prison and probation services**

##### **Prisons**

###### **Safety in Custody**

- In the 12 months to June 2025, there were 401 deaths in custody (up 30%), 86 self-inflicted
- The rate of self-harm was 899 incidents per 1,000 (77,898 incidents) - up 6% to a new peak
- The rate of assaults was 356 per 1,000 prisoners (30,846 assaults) - up 9%

###### **Prison performance ratings 2024/25**

- 12 prisons were rated as outstanding (down from 13 last year)
- 48 were rated good (down from 56 last year)
- 37 were rated as "of concern" (up from 35 last year)
- 22 were rated as of serious concern (up from 15 last year)
- there were 26,348 incidents of drug finds (up 25%), 13,014 of weapons (up 12%), and 12,166 of mobile phones (up 14%)

##### **Probation**

- only 2 of 12 regions are operating at a 'good' level (Greater Manchester & Wales), all other regions are rated as either 'requiring improvement' (6) or 'inadequate' (4).
- 76.3% of probationers had completed their court-ordered requirements by the time their community sentence expired

#### **1.2 Recalls (MoJ Statistics)**

For every 4 released, 3 are recalled for breaching licence conditions. Jan-Mar 2025 saw 13,296 releases and 10,101 recalls - up by 36 % year-on-year. Only 23% of decisions to recall involved a charge of further offending; 75% were for non-compliance, 34% for failure to keep in touch with probation, and 22% for failure to reside at an approved address. The number of recalled prisoners has doubled in the past decade and they now account for 1 in 7 (15%) of the jail population. The trend has been cited as one of the main causes of the current prison capacity crisis, with only 1,000 places available in the men's estate at the start of August.

#### **1.3 2024/25 PPO Annual Report (Prisons and Probation Ombudsman)**

The PPO has three main investigative duties: to investigate the death of people in any form of detention (including approved premises); the deaths of prisoners in the first 14 days post-release; and to investigate complaints made by anyone in detention or on probation.

Key facts included:

- 486 investigations were started (up 35%)
- There were 398 deaths in prisons (106 more) - 73 in the first 14 days post-release (20 more); 12 in probation approved premises (2 more); & 1 in the immigration removal estate
- 256 died from natural causes; 100 were self-inflicted; 86 were other "non-natural" deaths and five homicides
- 506 recommendations were made: 165 were about healthcare provision; 62 general administration; 62 about suicide and self-harm prevention; & 37 about emergency responses
- There were 5,267 complaints last year, up 15% (5,100 about prisons (up by 755) and 160 about probation services - down by 59). The top categories of complaints completed included property (868), staff behaviour (224), administration (139), & adjudication (135)

The PPO launched the Independent Prisoner Complaint Investigations (IPCI) Ambassadors scheme in 47 prisons. Key concerns noted included overcrowding; restrictive regimes which have "a knock-on negative effect on prisoners' mental health and increase the risk of suicide and self-harm"; the cost of prisoner phone calls which is currently being renegotiated with providers; and the care of people with epilepsy.

## 2. Sentencing

The Justice Secretary published the Sentencing Bill on 2<sup>nd</sup> September, intended to implement the findings of the Sentencing Review. It is described as “A bill to make provision about the sentencing, release and management after sentencing of offenders; to make provision about bail; to make provision about the removal from the UK of foreign criminals and the processing of information about foreign criminals for immigration purposes; and for connected purposes.”

### 2.1 Sentencing Review: *Targeted interventions* Extracts from chapter 6

Central to this is considering an offender's personal circumstances and needs and provision of a tailored approach to tackle the root causes of their offending. Key recommendations for different groups include.

- *Prolific offenders* - to expand the availability of Intensive Supervision Courts
- *Women* - to provide more sustainable and long-term funding to Women's Centres; to ensure female offenders receive appropriate support by expanding the use of liaison and diversion, & considering a women's specific pathway as part of Drug and Alcohol treatment requirements; to collect and publish data on the use of prison as a place of safety; and to commission a study of the impact and consequences of the Assault on Emergency Workers legislation (incidents often involve women who are neurodivergent, victims of DV or have mental health conditions).
- *Older offenders* - increase the use of Early Release on Compassionate Grounds
- *Foreign National Offenders* - increase the speed of their removal from the prison system.
- *Sex offenders* – to “build a comprehensive evidence base around the use of chemical suppression for sex offenders & explore options for continued funding of services in this area”
- *Drug and alcohol offenders* - to continue to monitor emerging medications to treat dependency

### 2.2 Sentencing Review: *The role of the probation service* Extracts from chapter 7

This recommends that the Probation Service should target its resources on the highest risk offenders and those with complex needs (eg prolific offenders) while expanding the use of the Third Sector to support people on low and medium level community sentences - “In any scenario, longer-term, sustainable investment for the Probation Service and third sector partners in the community is essential.” Key points include:

- rehabilitation by forming a constructive relationship with people is the key role of the probation service and the best way of reducing reoffending and the risk of harm to victims
- “practitioners must be empowered to use their own initiative, professional judgement and skills when delivering sentences and managing offenders in the community, rather than following onerous administrative processes”
- improvement of earlier interventions services to address housing, employment and substance misuse needs before people become emmeshed in the CJS
- use of the Third Sector, particularly mentoring and peer support services, to support offenders with complex needs on licence
- better technology is essential to automate processes such as notetaking, to allow staff to focus on relationship building

### 2.3 Sentencing Review: *A sustainable approach to incarceration* Extracts from final chapter

Whilst repeatedly making the point that punishment is important but not effective in reducing reoffending, recommendations include:

- the creation of an independent body of experts to advise on the impacts of current and future policy decisions on prison & probation resources. Its main functions would be to act as an authority on what works to reduce crime; analyse proposed policy changes; & report annually
- to introduce a “requirement for Ministers to make a statement to Parliament during the introduction of a new Bill on its impact on prison demand”
- The Government to consider additional areas such as maximum and minimum sentences; understanding disproportionality in the CJS; and young adult offenders

Two key risks are identified: that proposals are implemented but the probation system is left unable to cope with the additional demands; and politicians are unable to resist the temptation that the answer to every CJS problem should be answered by legislating for longer sentences.

## **2.4 Sentencing Review: *The role of technology* Extracts from the final chapter**

This considered how technology can support the management of offenders in the community, recognising both the urgent need to improve current operations but also longer-term opportunities for transformation. It makes clear that there will be little effective technological innovation unless the MoJ can get the basics right - many staff said this is far from the case at the moment with many processes still paper-based, hardware often not working and IT systems “outdated & clunky”. 3 key principles used were prioritisation, protecting the public and personalisation. Recommendations include:

- Enablement of greater real-time monitoring of offenders so alerts can be identified and responded to more promptly
- Increased use of alcohol monitoring bracelets, particularly as an alternative to custody
- Invest in rapid expansion of successful technology pilots used as part of offender supervision
- Require all technology developed for offender management to be integrated with behavioural science so those on probation are nudged toward positive behaviours
- Creating real-time feedback for probation officers and sentences
- Increased use of facial recognition
- Improve data-sharing across agencies working with the probation service
- Further collaborate with industry on research and development to explore new technologies for service transformation, including advanced AI

The implementation of all recommendations will depend on the scale of funding made available. The MoJ will, like many Government Departments, have to significantly improve its ability to roll out new technology that works and to a much more rapid timescale than it has achieved to date.

## **3. CJS agencies**

### **3.1 Courts**

#### **3.1.1 *Leveson Independent Review of the Criminal Courts Part 1***

This review was always going to be controversial as its remit was to reduce the number of cases going to Crown Court which could only be done by reducing access to trial by jury. There are 45 recommendations in the 388 page report including:

- increased use of Out of Court Resolutions which “represent a flexible, cost-effective and alternative initiative to court proceedings in relation to low-level offences”
- decision-making around charging to be speeded up, stopping the practice of releasing suspects under investigation for long periods of time
- remove the right to jury trial for all offences with a maximum sentence length of <2yrs but “trial and sentencing proceedings in the magistrates’ court be audio recorded and, if necessary for the purpose of appeals, appropriate parts transcribed”
- the maximum reduction for entering a guilty plea be increased to 40% if the plea is made (or indicated) at the first available opportunity, applicable also to magistrates’ courts
- the creation of a new division of the crown court in which a judge and two magistrates hear “either way” offences to be known as a “bench trial”

Even if all the recommendations are fully implemented, backlogs are likely to take many years to shift and so Crown Courts (including the new Bench Division) should be allocated 130,000 sitting days pa (up from 110,000). Defendants should be allowed to choose to be tried by a judge alone, and serious & complex fraud cases should be tried in this way. Legal commentators have protested about the loss of access to jury trial and many organisations have raised concerns that trial without jury will exacerbate existing racial disparity within the CJS. The Justice Secretary has said that she will consider the recommendations with a view to legislating in the Autumn.

#### **3.1.2 *Expert witnesses***

A leading supreme court judge (Patrick Hodge) has urged the legal profession to improve their “scientific and technical literacy” to help prevent miscarriages of justice saying the increasing complexity of legal cases means expert witnesses are playing a bigger role than ever before. Senior politicians, lawyers and doctors have raised concerns about the lack of oversight and regulation in the use of expert witnesses, who give evidence in court on subjects considered outside the

knowledge of a judge or jury. There were problems with “people coming forward claiming expertise in pseudoscience” which judges needed to be able to spot & challenge. There would always be a role for expert witnesses, but the question was whether they should be accredited, and how they can be kept from digressing beyond the key areas of disagreement.

### **3.1.3 Crown court backlog**

A barrister has said his client will end up being on bail for 6 years after his crown court trial was delayed until 2029. The original 4-day trial for drug supply was due to commence but removed from the listing due to a lack of court availability. It has now been rescheduled for July 2029 for a defendant arrested in 2023. He said the UK was not able to comply with its obligations under article 6 of the European Convention on Human Rights, which states that individuals have a right to a fair trial and a public hearing ‘within a reasonable time’ – “4 yrs to wait for a trial is neither fair or reasonable, it is outrageous and unacceptable.” He said that removing the right to elect to be tried in the crown court for offences carrying a maximum of two years was not the solution. ‘More judges, more recorders, more sitting days and fast track the process for those suitably qualified to become judges is the only sensible solution, not doing away with a fundamental right to be tried before your peers.’

### **3.1.4 Criminals to face football, travel, club and pub bans Government announcement**

Part of the Government’s Plan for Change includes new sentencing powers for Judges to punish offenders with bans that curtail freedom for any offence eg driving limits, travel bans and restriction zones confining them into specific areas, & mandatory drug testing expanded. Offenders coming out of prison and supervised by probation will also face similar restrictions.

### **3.1.5 Magistrates Matter A report with a plan to ensure magistrates are valued, appreciated and recognised**

Magistrates handle over 90% of criminal cases through unpaid service. Their role is crucial, but all magistrates are volunteers, and a lack of support, financial strain, time pressures & insufficient recognition all make volunteering increasingly difficult. Key points proposed are to:

- Establish a clear multi-year recruitment & retention strategy for the magistracy, across all roles
- Develop a means to capture the number of hours magistrates volunteer each year, including for additional roles such as mentors, training members and appraisers
- Establish a magistrates’ Volunteer Charter to codify magistrates’ rights, responsibilities and expectations, ensuring they have clear access to resources, guidance and support
- Introduce an annual Magistrates’ Attitude Survey, modelled on the Judicial Attitude Survey and carried out at the same time, by the same organisation
- Create regular, structured feedback opportunities for magistrates
- Introduce a magistrates’ long service medal, awarded at ten years’ service bringing them in line with other public sector volunteers who receive structured recognition for their service
- Expand local recognition events so magistrates are publicly acknowledged

## **3.2 Parole Board Annual Report & Accounts 2024/25**

Facts & figures include:

- *Political involvement in high profile parole decisions:* The Victims and Prisoners Act (2024) introduced a new provision that when the Parole Board decides that a Top Tier offender meets the statutory test for release, in certain limited circumstances the Lord Chancellor can refer the matter to be reheard at the High Court. This is expected to come into force later this year
- *Releases* 12,790 prisoners were refused release last year (up from 11,355 in 2023/24); and 3,872 were directed for release (down from 4,370 in 2023/24)
- *Public hearings* Just two public hearings were held in 2024/25
- *Inclusivity* 18.1% of Parole Board members are from an ethnic minority, up 17.6%
- *Waiting for parole* At the start of 2023/24 the oral hearing queue reached a high of 2,871 prisoners (reduced to 1,536 at start of 2024/25). The year ended with just over 2,000 prisoners awaiting an oral hearing date.

### **3.3 Police**

#### **3.3.1 Detention in police cells** *Secretariat to the All-Party Parliamentary Group*

Children and young people have told an APPG Inquiry that being detained in a police cell can be a highly traumatic experience, magnifying their vulnerabilities and alienating them, and their families, from available support. Yet in the year 2023/24 there were 62,000 detentions of children (10-17 yr olds) ie 170 every single day. The purpose of police custody is not to punish but to obtain reliable evidence in relation to a suspected offence. Yet research indicates that many children make no comment in police interview and no further action is taken following the majority of child detentions. The process is revealed frequently to be thoroughly counter-productive. The young witnesses also spoke about being strip searched – an experience described as ‘horrific’ and ‘dehumanising’, even where officers were acting respectfully. Repeated strip search is not uncommon. In 2023/24, 200 children were strip searched in police custody more than once, 67 more than 3 times, including 19 children 5 or more times. Whilst the vast majority of officers do their best to mitigate the impact, some accounts included complaints of belittling and racist behaviour by searching officers. 2 reports identify recommendations including:

- A restriction on the use of police custody for children to arrests for indictable offences and a presumption against detention save in exceptional circumstances
- Halving the time of detention by limiting the initial detention period for children to 12 hours
- Provision of legal advice to every child in police custody, and the piloting of mandatory child specialist training for legal representatives attending children in the police station
- A presumption against strip search which exposes a child’s ‘intimate parts’
- Better and accessible information about strip search
- Investment in technological alternatives to strip search, such as scanning devices

#### **3.3.2 Police chiefs call for cuts to number of forces** *Guardian Article*

Police chiefs at a roundtable with the Home Secretary said the number of forces should be cut to end “the postcode lottery for victims of crime”. They believe a reduction from the current 43 forces to 12 would save money, cut overheads and boost crime-fighting efforts. The Home Secretary has already backed other police reforms, such as setting up a national centre for policing, and believes the way policing is organised is out of date. But a lack of money threatens to delay changes and some smaller forces may oppose the changes. One senior source said: “Everyone is in agreement we need fewer forces. It would create efficiencies and greater effectiveness.” As yet, no detailed plans have been drawn up or presented to the government.

#### **3.3.3 Shoplifting** *Office for National Statistics*

Retailers say theft is “spiralling out of control” after official figures show shoplifting is at its highest level since current records began more than two decades ago. There were 530,643 reported shoplifting offences in the year to March, up 20%. Retail groups said they were concerned by the increase in organised crime, with gangs were “hitting store after store”. Convenience stores recorded more than 6.2m incidents in the past year. “Retailers tell us that they won’t report crime if they have no faith in it being investigated.” The Crime and Policing Bill will address an “epidemic of street theft”, including shoplifting. The current £200 threshold for shoplifting means thefts under that value are treated as summary-only offences and not prioritised by police. This will be removed. The government says it was working to rebuild local policing.

#### **3.3.4 Disclosure of ethnicity and nationality of suspects** *Article*

The home secretary has encouraged senior police officers to free themselves of longstanding protocols so they can combat the prolific use of social media by far-right bloggers and organisations that have escalated disinformation around high-profile incidents. Until now, there was nothing in the guidance that prevented police giving information about the nationality, asylum status or even ethnicity of someone who has been charged, but the police are restricted as to what they can say about suspects. However, the guidance on media relations – and what would be released to the public – said that if someone was arrested, police should only give the suspect’s gender and age. Once charged, the police could give out the suspect’s name, date of birth and address. Lord Leveson’s damning 2012 report on press ethics prompted police forces to become more cautious because of concerns that releasing ethnicity could be used to feed false narratives- such

disinformation was at least partly responsible for last summer's riots. Decisions on releasing such information will remain with police forces, with wider legal and ethical considerations also taken into account but verifying a suspect's immigration status is up to the Home Office. There is concern among some that this change will fuel racist sentiments and there could well be a knock-on effect on mainstream reporting and community relations.

### **3.4 Prisons**

#### **3.4.1 *The human cost of overcrowding* IMB 2024 National Annual Report,**

The report highlights a disturbing normalisation of poor conditions, rising violence, and systemic safeguarding failures and calls for urgent reform. Despite some positive policy changes and staffing improvements over the past year, the report reveals that places of detention, including prisons, YOIs, and immigration detention facilities, continue to grapple with deep-rooted issues. Concerningly, IMBs report a level of acceptance among some staff and detainees, with poor conditions becoming normalised after years of inaction and minimal change; prisoners often feel there is no point in complaining & staff have become desensitised to seeing people in acute distress. Key points include:

- Violence was driven by overcrowding, inadequate mental health support, and surges in drug use, all of which created volatile environments
- rising levels of self-harm, with improvements needed to safeguard those at risk
- use of force was used disproportionately and poorly scrutinised, while immigration detention centres increased their use of force, with the principles of usage not always followed

#### **3.4.2 *Foreign prisoners to be deported sooner* New legislation**

Foreign offenders make up around 12% of the total prison population and deporting them sooner is estimated to free up around 500 prison places pa. On average a prison place costs £54,000 pa so it will save money and protect the public. Deported offenders are permanently barred from re-entering the UK, and any attempt to return will result in immediate reactivation of their original sentence. The justice secretary has proposed a change in legislation that will give the government the power to deport most foreign prisoners as soon as they are convicted and incarcerated. However, foreign terrorists, murderers and other serious offenders who have been given indeterminate sentences will continue to serve their time in the UK before being considered for deportation. The changes are expected to come into force in September subject to Parliamentary approval.

#### **3.4.3 *Purpose, leadership, and oversight of prisons* House of Lords Justice and Home Affairs Committee report *Better prisons: less crime*.**

This concludes that the MoJ should set out a clear and consistent statement of the purpose of prison, with reducing reoffending as central. This should be communicated within the system, across government and to the wider public to build greater support for evidence-based approaches to reducing reoffending. The report also urges the MoJ to strike a better balance between governor autonomy and centralised control, ensuring that prison governors have the necessary authority to lead effectively. The current system is in crisis with over 87,000 in prison, expected to exceed 100,000 by 2029. 80% of offending is reoffending, and the economic and social cost of this is estimated to be around £18b pa and is a major contributor to the size of the prison population. There is currently only limited access to services aimed to reduce re-offending in most prisons. The Committee laments the lack of impact of the Prison Inspectorate's reports, and is extremely critical of both Government and civil service leadership: "The present poor system is a consequence of many leadership failures over years by both Ministers and officials in the MoJ and in HMPPS. The Secretary of State and the new Permanent Secretary need to recognise this and that HMPPS owns the need for radical reform and has the will and new capabilities to engage with it; external support will be essential for this." The report concludes that the current Prison Minister Lord Timpson understands the need for change and what needs to be done and urges him "to be strongly backed by the Prime Minister and the Secretary of State for Justice."

### ***3.4.5 Catching Fire Crown Premises Fire Safety Inspectorate Annual Report 2023/24***

This saw one prisoner die as a result of fire – the fourth since 2019 - with 16 suffering major injuries such as serious burns or severe smoke inhalation. Across the estate 19 more, and 21 prison staff suffered minor injuries. Those affected by prison fires rose in line with the increase in fires – there were 2,477 fires in 2023-4 up 74% from the previous year, with almost 3,000 cell fires. 95% of these are started deliberately and the significant increase is mainly due to the misuse of both vapes (causing two thirds) and electrical equipment (12%) by prisoners. Fire safety is ostensibly a high priority, governed by a detailed Prison Service Instruction. HMPPS has recently achieved conformity with the British Standard for Fire Risk Management Systems and has a major fire safety improvement programme which aims to bring all cells up to standard by the end of 2027 through automatic fire detection and suppression measures. The Public Accounts Committee has concluded, however, that the deadline will not be met, partly because of the collapse of construction company ISG. Whether the red line commitment not to use non-compliant cells after that date will be maintained presumably depends on population pressures at the time. There are enforcement notices in two public and two private prisons, but the list is incomplete. The Inspectorate has recently been moved from the Home Office into the Ministry of Housing, Communities and Local Government which will hopefully stimulate a more urgent and comprehensive approach to fire safety in prisons.

### ***3.4.6 Counter-drone efforts rise as prison sightings revealed MoJ statement***

Organised crime gangs are being targeted by the police and prison service as part of a nationwide crackdown on drone drops into prisons. The move is backed by a new investment of £900,000 and designed to disrupt the in-flow of drugs and weapons that are destabilising prisons and putting staff and offenders at risk. £40m has already been invested this year into prison security measures, including exterior netting and reinforced windows. There were 1,712 drone incidents between April 2024 and March 2025 at prisons across the country, an increase of 43% from last year. By sharing intelligence and coordinating operations, across all agencies the collective response to this growing threat is being strengthened.

### ***3.4.7 Prisons Taser trial***

This follows the vicious attack on three prison officers at HMP Frankland in April, and forms part of the Government's pledge to act decisively to protect hardworking prison staff as part of its Plan for Change. The Tasers will be issued to a specialist national unit which responds to complex and serious incidents in the adult male estate which local staff are not trained for. After the trial, the Government will look at whether Tasers should be used more widely across the prison estate. The Prison Service has also ramped up the number of full lockdown searches in high-security jails to stop more of the contraband which fuels violence behind bars.

### ***3.4.8 Earned progression Article***

One of the central recommendations of the Independent Sentencing Review is the introduction of 'earned progression' whereby people in prison can earn early release by engaging with the prison regime. If implemented properly, this approach could have real benefits, given the robust evidence that participating in education reduces reoffending. It could benefit people in prison by reducing the length of their sentence and ensuring they have the skills & qualifications needed to access employment on release. It could also benefit the taxpayer by reducing the cost of keeping people in prison and of reoffending, and the broader community by reducing crime and introducing more skilled people into the workforce. The key challenge, though, is the current limitations in prison regimes. Overcrowding, staff shortages and underinvestment mean a lack of purposeful activity across the prison estate, which is continually highlighted by HMIP. This is essential for earned progression; if it is going to be fair then activities that 'count' towards early release must be equally available to all, not just to those who are already most able to engage with education and training. It therefore seems unlikely people will have an opportunity in the immediate future to genuinely 'earn' their release by accessing education or training. Instead, it will be based solely/mostly on behaviour and compliance. The MoJ will need to invest in regimes so it can genuinely be about positive engagement, not just about staying out of trouble. There is an important role for the voluntary sector in its delivery.

### **3.4.9 Prison capacity** *MoJ Independent Prison Capacity Review led by Dame Anne Owers*

This looked at the origins of the capacity crisis, the reasons why supply and demand did not meet, and the consequences for prisons and other parts of the CJS. “The 2022-24 prison capacity crisis was a conjunction of some specific circumstances but was also a symptom of a systemic and long-running problem: the apparently irresistible pressure for more and longer prison sentences coming up against the immovable object of the difficulty, expense and overall effectiveness of building and running more prisons. In general, population pressure has constrained prisons’ capacity to operate safe, positive and purposeful environments that can reduce the likelihood of reoffending. From time to time that pressure erupts into a crisis that requires executive actions, sometimes unnoticed and sometimes public.” Recommendations include a ten-year strategy and the report echoes the Sentencing Review in recommending an independent body to highlight the impact of any changes to the CJS on prison capacity. She envisages a bigger role for probation but cautions that more resources will be needed and that there will also need to be investment in the services which people on probation need – housing, employment, mental health, drug and alcohol treatment.

### **3.4.10 Provision of prison education** *Guest post by Jon Collins, CEO of the PET*

The procurement process has been protracted (over 3 years) – the results were originally due to be announced in autumn 2024, with the new contracts starting from April this year – and is the culmination of work to create a new Prisoner Education Service. These contracts, and other recent reforms, are intended to address current failings in prison education, with more than half of Ofsted inspections finding provision to be inadequate and significantly fewer people accessing education now than a decade ago. The new contracts are from this October until at least 2029 and possibly 2032, and are broadly similar to the existing arrangements but there are some differences eg the previous 17 lots have been reduced to 11, presumably to create economies of scale, with just 3 rather than 4 providers (there are no new ones). This means there will be a lot of continuity although a decision has not yet been made on who the provider will be in the West Midlands lot, covering eight prisons. The key question is whether these new contracts are sufficiently well-funded to enable the providers to develop a curriculum that will meet needs. There have been significant concerns about the level of funding available for prison education for several years, and it seems clear that this will not change - several prisons are planning for cuts to their budgets from October. This is deeply concerning. Funding is certainly one of the most significant reasons why prison education is nowhere near as good as it should be. There is clearly a risk that with the existing providers again sharing provision between them, a similar focus to the contracts and even less money available, we will end up with more of the same or worse. This would be a missed opportunity. Instead, the MoJ must provide more funding to ensure that a broad and varied curriculum is available to everyone. And the education providers and prisons must treat this as a fresh start and work together to make sure that there is a real focus on improving the education and training available.

### **3.4.11 Prison Pubs** *Article*

A pub-restaurant has opened in HMP Liverpool, called The Lock Inn, training those inside in hospitality skills such as cooking, serving, and running a busy kitchen. The initiative was launched by pub chain Marstons, and aims to ensure those who take the training get job opportunities on release. It has been found to be so successful that two other prisons are going to get involved. Students sign up for a 13-week chef training course inside mock pub kitchens, and work towards a qualification in hospitality. All those who complete the course are guaranteed a job interview with the Marston chain upon release, with help from mentors when they are free. Since the scheme began, 25 have completed the course, and 11 have gained full time employment after they left. The pubs in the jail do not, of course, serve any alcohol. Marstons hope that they will see 40 people fully trained over the next year, and a higher proportion finding work when they leave prison.

### **3.4.12 Murder of a prison officer** *Article*

A former inmate has been found guilty of murdering a prison officer in a revenge killing 4 years after saying “I promise I will get you.” He planned and carried out the shooting of former HMP Altcourse prison officer who had discovered his illicit mobile phone hidden behind bars in his cell which exposed the inmate’s affair with a female prison guard. The officer was offered £1,500 to get rid of



the phone and when that did not succeed, the prisoner turned to threats, warning him: "I'll bide my time but I promise I will get you." The prison officer was a father of three and had left the Prison Service. He was shot six times in an "act of retaliation" after leaving a gym 4 years after the row. The offender had completed his sentence for drugs offences and was due to stand trial for possessing the phone 11 days after the shooting.

### **3.5 Probation**

#### **3.5.1 Recalls** *Research Report by Switchback (London based prisoner rehabilitation charity)*

The use of licence recall is out of control: 1 in 5 people in custody are on recall; the rate of recall has nearly doubled in the last 15 years; between April and June 2024, there were 3 licence recalls for every 4 prison releases; and over 73% of recalls do not relate to a new offence. This problem is an underacknowledged factor in the prison population crisis - as long as the probation service is recalling nearly as many people as the prison service is releasing, there is no path out of the prison capacity crisis. Key findings include:

- Relationships are key to preventing recalls: "When there's no relationship, all they've got is just pages full of notes about an 'offender'. How can you make decisions based on that?" The majority surveyed did not have good relationships with their POs
- Communication challenges: Fewer than 1 in 10 said their recall was explained clearly and in detail. The system is overly reliant on verbal communication that often takes place in overwhelming circumstances. This does not account for the high levels of neurodiversity, speech and language needs and trauma experienced by people on licence
- Decision making is inconsistent; the threshold is too low. Recall decisions are largely at the discretion of probation officers with no clear structure to support decision-making

Recommendations include:

- Introduce an independent decision maker for non-emergency recall decisions
- Get support right for people when they are leaving prison
- A national resettlement framework with one to one support at its heart
- Create a clear structure for decision making with the right escalation options

#### **3.5.2 Shortfall in probation staff** *Article on leaked report*

A series of documents leaked to the BBC reveal there is around a 10,000 full-time probation staff shortfall. In response the MoJ said it had inherited a probation service "under immense pressure", and last year recruited 1,000 trainee officers. According to a government study last year, some 17,170 full-time staff were needed to deal with sentence management - prior to the government releasing tens of thousands of offenders early to create more space in overcrowded prisons, causing even more work for the probation service. According to a sentence management activity review by HMPPS, there are only 7,236 members of staff in this specific role - around 10,000 fewer than needed. The MoJ said they had recently announced a £700m increase in funding by 2028, as well as recruiting more trainee probation officers. "We are also investing in new technology that reduces the administrative burden on staff time so they can focus on working with offenders and protecting the public," they added.

### **3.6 Youth Justice**

#### **3.6.1 Violent crime** *Report by London's Violence Reduction Unit (VRU)*

Key factors driving violence remain poverty, deprivation and alienation, with drugs a key factor – 56% of homicides between 2012/13 and 2017/18 in London were drug-related. There has also been an increase in the proportion of 10-14yr olds suspected of violence. A scheme aiming to turn children arrested for violence away from crime has claimed staggering success, with up to nine out of 10 diverted from further offending. It involves funded special youth workers being placed in police custody centres across London with the overwhelming majority of 10-17yr olds not reoffending within 12 months of release from custody after intervention. The emphasis is on prevention and whilst the Unit, which runs a range of initiatives, costs £40mpa to run, this was more than made up for by the money saved from the cost of reoffending. The scheme is showing signs of being able to exploit the "teachable moment" long talked about by police and youth workers which is the point where someone is wavering between continuing as a criminal or turning their back on violence.

**3.6.2 Looked after Children (LAC) Blog by Clare Birtwistle, Manchester Metropolitan University**  
 Research shows that 1 in 3 LAC receive a conviction or caution by age 17 (cf 4% peers); over half will have a conviction by age 24 (cf 10%); LAC are eight times more likely to receive a YJ caution or conviction; and are over ten times more likely to receive a custodial sentence than youth offenders who are not in care. Problems include the criminalisation of LAC who are disproportionately at risk due to multiple factors eg four times more likely to use drugs or alcohol, 81% of LAC in custody were previously suspended from school, 8 in 10 have special educational needs, and the primary reason for children being placed in care is due to them being victims of abuse or neglect. The Multi-Agency Approach is also problematic with the transition into care being traumatic, causing difficulties with trust and attachment and differing responses. Possible solutions include implementing a buddy system, wiping childhood criminal records when spent; raising the age of criminal responsibility; and stopping children from being tried as adults.

**3.6.3 Building Trust: “Building trust: the importance of positive relationships in young offender institutions HMIP thematic review**

This finds that children in YOIs have little opportunity to build vital relationships with staff that will help them address their offending and this affects the ability to run safe establishments in which children can engage with education, health care and offending behaviour programmes. Children and staff said they wanted the same things: consistency and enough time to get to know each other properly. Yet many aspects of daily life thwarted this interaction. Children were often locked up for long periods of time, staff were frequently moved to different units and there were few spaces for private conversation. Rather than dining together children ate largely alone in their cells, and a lack of informal interaction opportunities meant officers only talked to them as they were being escorted around the establishment. Most children said they were unable to have a meaningful weekly conversation with a member of staff they knew. Frequent staff changes meant their everyday requests were often dealt with inconsistently. The Chief Inspector said: “This report sets out in stark terms the failure by the Youth Custody Service to create environments in which children in YOIs can form positive, appropriate relationships with authoritative, well-trained and well-supported staff. Chronic inconsistency and a failure to embed the framework for integrated care are corroding the relationships needed for progress with behaviour management.”

**3.6.4 Smaller, but tougher: How the CJS is processing young adults Centre for Crime and Justice Studies analysis of data**

This examines the criminalisation of young adults and paints a worrying picture that challenges claims that a ‘two-tier justice system’ is favouring Black and minority populations at the expense of White people. Instead, the report suggests that young women are being inappropriately detained, while Black defendants are facing tougher penalties than White defendants. Key findings include:

- The number of young adults in court for more serious offences has decreased by 65% over the last 15 years; those sent to prison for these has decreased by 60%; and the number remanded in custody at Crown Court has decreased by 33%
- Despite the decline, those prosecuted are more likely to be remanded in custody awaiting trial; less likely to get a community sentence; and more likely to go to prison, and for longer. The average sentence length for young adults (for more serious offences) was 16 mths in 2010 and 2 yrs in 2024
- Over half of young women aged 18-20 in prison were there on remand cf under half of young men
- Ethnic disparities have also sharpened as the number of White young adults prosecuted has decreased at a faster rate than for other groups.

So fewer young adults are being sent to prison than a decade ago, but those who are imprisoned are getting much longer sentences. Young women are more likely to be held in pre-trial detention for offences that do not ultimately lead to a prison sentence than young men. Meanwhile, White young adults appear to be getting more lenient sentences than their Black counterparts.

### **3.6.5 Intergenerational offending** *MoJ review of the evidence*

The key findings were:

- a strong correlation between parental and child offending
- clear evidence that they are at risk of poor outcomes (eg mental health, behaviour, wellbeing) but unclear the extent to which this is a specific cause ie may result from other factors such as socio-economic disadvantage
- there are complex reasons why children with an offending parent are at higher risk of offending, encompassing both intrafamilial (eg parental supervision of the child, addiction) & socio-economic (eg economic deprivation) factors - a multi-faceted approach is needed
- recent research has found the effect of parental offending on children differs according to the gender of parents and children. Having a convicted mother was linked to an increased risk of a daughter offending, but having a convicted father was not linked. There was a strong link between having a convicted father and boys' offending, but not with convicted mothers
- longer periods of parental imprisonment increase the risk of the child offending
- type of offence is an additional factor. The children of people who commit violent offences are more likely to also commit violent offences
- protective factors linked to improved child outcomes include individual (above-average intelligence, pro-social attitudes), familial (positive relationships with at least one parent, parental supervision) and community factors (peers who did not offend, non-disadvantaged neighbourhoods), the resident carer coping well, the child's mental wellbeing and having a forum in which they can express their needs and emotions.

## **4. Other issues**

### **4.1 Artificial Intelligence** *MoJ action plan for the CJS*

This sets out how AI technology "will be used across prisons, probation and courts to better track offenders and assess the risk they pose with tools that can predict violence behind bars, uncover secret messages sent by prisoners and connect offender records across different systems." It looks for "responsible and proportionate AI adoption" across courts, tribunals, prisons, probation and supporting services. It will be interesting to see how the prison and probation unions react. If AI really can help workloads, then many will be pleased at some long overdue support, if it takes over key aspects of their job, then workers will not be so pleased. Highlights include:

- Creating a single offender identify across the CJS so that, in theory, workers for any agency should be able to see records of all an individual's contacts with the justice system
- Make AI productivity tools available to all staff across the CJS to support a wide range of everyday tasks eg drafting emails, summarising documents, managing inboxes, redacting information, and generating reports
- There is an aspiration for both prison and probation staff to use AI-powered search to identify risk indicators or rehabilitation opportunities, and enable caseworkers "to swiftly locate relevant guidance or evidence, saving valuable time and improving decision-making"

The MoJ has been quicker than many expected in developing this approach to AI; it will be interesting to see how it will be rolled out and what impact it will have on the day to day lives of prison and probation staff and the offenders in their care.

### **4.2 Christian alliance** *Picking up the Pieces report*

Many organisations working in the CJS have been galvanised to build new alliances and influence the direction of justice reform, putting aside their usual competitiveness. The latest of these alliances is an unprecedented coalition of Christian leaders who have published a new report calling on the government to work in partnership with churches, communities, and faith-based organisations to tackle a failing CJS. The report outlines how Christian churches, charities, and volunteers have taken on roles once delivered by public services, supporting both victims of crime and those caught up in the justice system. The report acknowledges that the government has inherited a system in crisis and calls on ministers to invest in what works to make communities safer. The report points out that nearly half the population identifies as Christian and reflects the shared values of the Church of England, the Catholic Church, the Quakers, the Free Churches Group, and others. Together, they urge the government to place victims' needs at the heart of the CJ process, investing in initiatives

proven to tackle the root causes of crime, many of which are already being delivered by faith communities. It sets out the range of existing work that Christian organisations undertake within the justice system and shines a spotlight on three powerful but often overlooked opportunities for reform:

- Supporting the children and families of prisoners
- Investing in restorative justice.
- Empowering faith-based communities

### **4.3 Domestic Violence**

The government is spending £53m over the next four years on an intervention programme which it says can help DV perpetrators change their lives and move away from abuse. Since 2016, a pilot scheme has been working with perpetrators on a 1:1 basis to help them come off drugs & alcohol and resolve personal issues. An independent evaluation concluded the pilot had successfully cut abuse and the government has decided to fund an expansion of the programme but some DV charities have expressed scepticism. The Drive Project pilot has focused on high-risk or serial perpetrators through intensive 1:1 case management for up to 12 months. Alongside that, victims are given a "dedicated independent DV adviser" to provide support. The evaluation found that the programme reduced DV, cutting physical abuse by 82%, sexual abuse by 88% and harassment & stalking behaviours by 75%. The head of the partnership said victims "want and need better responses to the people causing harm in their lives. They need them to be seen, held to account and stopped." She said the Drive Project delivered this and added that evaluation had proved "it works". The programme will go live in 15 new areas by Mar. 2026 and a full roll-out will follow.

### **4.4 IPPS**

#### **4.4.1 Working Group report Howard League Expert group led by a former Lord Chief Justice**

Main proposals to resolve the IPP problem were presented at a launch event in the House of Lords included:

- to modify the approach taken by the Parole Board in IPP cases so they set a date for the person's release within a two-year window, and what is required to achieve that safely. IPPs given the right to apply to the Parole Board to ask for their release date to be brought forward
- to reform the system by which people on IPP sentences are recalled to prison
- allowing some IPP sentences to become spent
- the introduction of an aftercare offer to all IPPs released with health or social care needs. This would be equivalent to the aftercare duty provided under section 117 of the MHA 1983
- to restore the right for people on IPP sentences to apply for annual licence termination reviews
- to reduce the hurdles for someone to appeal against their sentence eg creating a positive obligation for IPP to have access to a special CCRC which can expedite their application to the full Court of Appeal (Criminal Division)

#### **4.4.2 Case examples**

##### **4.4.2.1 Mental health of an IPP**

An IPP prisoner driven to psychosis after being jailed for more than a decade has been moved to a hospital for treatment after a six-year battle by his family and supporters. He was sentenced for a minimum of 2 years in custody in 2012 for stealing a mobile phone, but remains in prison over a decade later. His family said the undefined nature of his sentence, and spending years in prison without a release date, caused him to develop serious mental health problems, and he was eventually diagnosed with paranoid schizophrenia. "He just started to get sicker and sicker – the present system is definitely psychiatric abuse. Without a doubt, he would have died in prison. He was dying in front of us. We could see it. But now he has a chance of survival." He is currently living in the prison hospital ward and will be transferred to a medium secure mental health hospital. He had no history of mental health problems before but his health deteriorated drastically in 2016 after 4 years in prison with no end in sight. He started wearing his bedsheets as clothes, claiming he could hear voices through the cells' air vents, and "speaking in Roman numerals" down the phone. Once when his mother visited him, she had to ask a prison officer to identify him for her. In the 13½ yrs he had been in custody, he had been moved 13 times, with his family sometimes having to drive for many hours to visit him.

#### **4.4.2 Alleged IPP escapee**

The trial of an alleged escapee who spent hours on the roof of a high-security prison in his underpants is set to be the first time the stress caused by indeterminate sentences can be used as a legal defence. He was protesting at the IPPs he and others are serving. The 38-year-old has been in jail for 13 years, much of that in isolation, after receiving an IPP sentence for robbing a takeaway at gunpoint in 2011. He says he does not remember the crime because he was drunk and high on drugs. Two months before this protest, he staged a 12-hour sit-in on the roof of another prison and is due to be tried later for “escape from lawful custody” in allegedly damaging the roof and for starting a fire in his cell as part of a suicide attempt. A spokesperson for a prison advocacy group, set to give evidence in the trial, said it was “well overdue” for courts to take into account the stress caused by IPPs. “This sentence has led to a lot of destructive behaviour among prisoners”. Under the previous government many prisoners grew “absolutely desperate” when they were told they would not be resentenced. “A few IPPs then took their lives because they decided that they were never going to get out. Nobody’s been resentenced yet, but we are looking at human rights. That’s another battle but we will get it because it’s cruel and inhumane. I think if we don’t keep fighting and jumping up and down, then it’ll just be forgotten.”

#### **4.4.3 IPP recalls HMPPS annual report 2024/25**

IPPs are regarded as one of the most unjust punishments ever ordered in this country and were abolished in December 2012. The report states:

- The overall IPP population has broadly decreased overtime. As of 31 March 2025, there were 1,012 unreleased IPP prisoners and 1,532 recalled IPPs ie more than twelve years after the sentence was abolished, almost three out of ten (29.2%) people remain in prison
- The main positive action taken by the current government is to reduce the period that released IPPs must serve on licence. This had been indefinite. 1,742 had their licence automatically terminated on 1.11.24, reducing the number in the community from 2,885 to 1,376
- There is a host of research evidence on the adverse mental health impact of being trapped in a sentence with little hope of release despite having served more than a decade longer inside than the tariff set by the sentencing judge. On 31.12.24 there remained 233 serving IPPs in secure hospitals. This remains almost unchanged from a decade earlier
- The number of recalls has remained almost unmoved since 2018. Despite progression plans, the average custody time following recall has broadly increased since 2021 (25 mths now)
- 90 IPPs have tragically taken their own life, more than one in a hundred with that figure bound to rise as several deaths of people on IPP “remain unclassified”.

#### **4.4.4 Young adults/Juveniles CCRC review of historic IPP applications**

The abolition of IPPs was not made retrospective, so current such prisoners must still obtain Parole Board approval to be released. However, the CCRC has recently referred 12 cases to the appellate courts where IPPs were a factor. Eight have had their sentences either quashed, reduced, or substituted. This project has been developed following two recent Court of Appeal decisions to quash IPP sentences on the basis that the sentencing judge had “failed to attach the necessary importance to the age and maturity of the offender” before giving the sentence. The CCRC have said that applications to them must be against the fairness of sentence as it was at the time it was given and saying it was disproportionate, not just that IPPs have now been scrapped.

#### **4.5 Victims What do victims want? Transform Justice Report**

This looked at the views of victims whose cases were resolved out of court and found their biggest priority is for the person who harmed them not to do it again. They also want the crime to be resolved quickly, for the police to acknowledge what happened, take it seriously and take action to address it. They found that victims had varied ideas about how to stop the person doing it again, with punishment being one of the most favoured as a deterrent, a way to hold people accountable and to make them understand the consequences of their actions. Victims did not place a high priority on the person being prosecuted in court, nor did they think it was particularly important to rehabilitate them. They wanted the police to take their report seriously, to acknowledge that what happened was

not acceptable, and to take action to address it. The research found that resolving crime out of court can, and often is, meeting many of these priorities. The primary concerns were that it was too soft on the person who did it, or that it wasn't effective at addressing the harm caused or stopping the person doing it again. Overall victims were supportive of resolving more crimes without going to court (53% of 20%), and felt that many crimes can in fact be resolved by the police instead (64% of 19%).