

# Diocese of Worcester

## Criminal Justice Affairs Group

### Annual Report 2023 - 2024

#### *Foreword by the Bishop of Worcester*



In April this year the Times newspaper carried an article by the political columnist Rachel Sylvester on the state of prisons in the United Kingdom. It makes for a depressing and distressing read. Just two quotations give a sense of its contents: 'With prisons in survival mode, the chances of rehabilitation are low and a third of adults released reoffend, - perpetuating the cycle of crime. Jails are frightening and dangerous places for inmates and staff. The assault rate in male prisons is two thirds higher than it was a decade ago. The rate of self-harm by women has quadrupled in a decade and last year hit a record 20,248 incidents. There were 92 self-inflicted deaths in jails after suicide-prevention measures failed.' 'When Lord

Howard of Lympne was Home Secretary in the 1990s, the prison population was below 50,000; today Britain has the highest imprisonment rates in western Europe. In England and Wales, there are 146 people in jail for every 100,000 of the population. In Scotland the rate is 144, compared with 54 in Norway, 67 in Germany and 109 in France. The main driver is not that more people are going to prison but sentences have got longer.' Nick Hardwick, a former Chief Inspector of Prisons calls the present situation a 'tinderbox' and warns of future rioting. The current occupant of that unenviable role, Charlie Taylor, speaks of 'deprivation, squalor and risk of further violence.'

Sylvester's article is part of a one-year Times Crime and Justice Commission, which will produce regular articles culminating in a report in April 2025. The Commission is well-resourced, well networked and, I hope, influential. So far, its reports echo very much the findings of our own Criminal Justice Affairs Group, so I am very pleased that a national newspaper has at last caught up with what our Group have been doing for years. I shall be sending a copy of this report to Rachel Sylvester, who chairs the Tims Commission, as well as commending it to you.

I also want to take this opportunity to pay tribute to the Reverend Charmian Manship who is stepping down as Chair after 9 years in the role. Charmian is passionate about the need to reform the criminal justice system; she has battled long and hard and can be proud of all she has done in the cause. In the diocese we all owe her a huge debt of gratitude and wish her well for the future.



## Introduction

The Worcester Diocesan Criminal Justice Affairs Group (CJAG) was formed in March 2015 for the purpose of offering a Christian perspective and advising the Diocese on criminal justice matters. From the outset the group sought to be proactive in its approach to its two main aims:

- internally within the Diocese to offer a Christian perspective & provide expert advice on criminal justice matters, and
- externally to raise public awareness & be catalysts of criminal justice-related social action

CJAG has been in existence for nine years now and this report outlines the issues covered during the past year. The aim is for the membership to reflect most aspects of the criminal justice system's (CJS) key agencies, the voluntary sector, those with expertise in CJ issues and the Diocese. There has been a significant turnover of members during the year and particular thanks to Robert Jones (former Archdeacon of Worcester), Hugh McMichael (HMP Long Lartin Chaplaincy Volunteer), and Paul West (Bishop's Advisor on CJ Affairs, former Chief Constable, West Mercia Police) who have been so supportive of CJAG. New members with knowledge and experience of the CJS would be welcome as we build the group's capacity, grasp of key issues and passion to make a difference in this area.

CJAG presents this annual review of its activities plus its reflections on the way ahead including particular areas of concern for our Diocese and the public to consider. The group moved on from meeting virtually to in person discussions last year but it is now considering a hybrid approach

for ease of attendance. The group's main focus through 2023/24 was on continuing to gather information about the CJS, tracking what was happening and recognising the impact on those working in the system as well as those subject to its procedures and those close to them. Themes emerged and particular areas of concern were discussed and highlighted. Of particular note, however, were the apparent deterioration in all elements of the CJS; the growing call for change as a matter of urgency from a range of expert bodies based on evidence and the lack of action to address the problems; and an increase in human rights concerns and injustice for those trapped in the system.

The year has been turbulent for the country in a number of ways with the rising cost of living, state of health, social care and institutions, political instability and government policy. There have, for example, been five changes of prisons minister in the past two years. These factors have inevitably impacted on the CJS & the people within the system including staff, prisoners, people who have committed offences living in the community, their families and victims. Concerns have been repeatedly raised by inspections, the Justice Committee, research findings and national voluntary bodies about what is happening in the CJS including the consequences on people of the major backlogs in courts, rising prison numbers, chronic staff shortages & human suffering. CJAG has carried these concerns and debated its role in raising awareness and influencing positive change, but the reality is that many of the issues are hidden and not of public concern in light of other pressing matters. CJAG sees its role in identifying, raising and challenging them appropriately as central to its pursuit of humane, just, effective and caring treatment of all people.

### **Criminal Justice Affairs Group members**

- **Charmian Manship** (Chair) *Volunteer experience in HMP Hewell Chaplaincy;*
- **Mark Badger** *Archdeacon of Worcester*
- **Diana Fulbrook** *Former Probation Chief Executive and Parole Board member, and previous chair of Adult and Children's Safeguarding Boards*
- **Amy Johnson** *University of Worcester*
- **Derek Markie** *Voluntary sector Evesham*
- **Tim Morris** *Magistrates Association*
- **Lia Palios-Hayden** *Operations Manager, YSS Charity*
- **Nick Scott** *HMP Long Lartin*
- **Keith Stokes Smith** *Overseas nationals/Consuls*
- **Stephanie Watson** *Experience as an HMP Hewell Chaplain*

## Part 1: Key issues

### Positioning of CJAG's influence

CJAG is aware of the importance of linking in with others to either increase its understanding of issues on the ground or collectively influence change by working with others who have common aims.

The group recognises that as a small body, CJAG is politically impotent & by going public, the message could be lost amidst views of religious bias. CJAG is apolitical but is concerned about the increasing politicisation of crime, and the emphasis on punishment stoked by the media. Talking generally about crime in such simplistic terms results in a lack of understanding about the complex relationship with social problems and poverty, and misses the appreciation of the impact on individuals, families & communities which encourages a cycle of crime.

Along with many others, CJAG seeks to have a well-informed debate about society's approach to crime & those who commit offences which is contra culture: the group continues to find ways to achieve this.

### Events

#### Prisons Sunday

CJAG again contributed to the morning service at the Cathedral in October by leading the readings and prayers (based on prayers written by prisoners in Long Lartin).

The preacher was the Revd Nick Scott, chaplain at HMP Long Lartin and a CJAG member, who spoke to the national theme "Look up" and talked of the reality for prisoners and his own fear for them. Nick sees prisoners resembling the God he loves and serves but radiating such hopelessness and despair.

This annual event provides an opportunity to highlight work in prisons and prisoners' issues, and to raise awareness amongst the Christian worshipping community. As always, CJAG is grateful to the Cathedral & Dean for the hospitality extended to us which is much appreciated.

### Oversight of issues relating to the criminal justice system

The information CJAG has been tracking and monitoring has definite recurring themes featuring backlogs, prison overcrowding and poor conditions, staff shortages in all agencies, and the increasingly worrying impact on those in the system.

Little has changed in the concerns raised in last year's report and in some respects have worsened. Records were broken, for example, in the number of those on remand awaiting trial or sentencing; outstanding cases in crown courts; self-inflicted deaths of people serving an IPP sentence; and recalls to prison.

Systemically, the rising courts backlog (in October: 65,000 cases in crown courts, and 353,700 in magistrates courts) has impacted particularly on prisons, the latter having been the most overt and reported aspect of the CJS.

Scotland, England and Wales continue to have the highest imprisonment rates in Western Europe, and the population has been steadily rising (88,225 in October 23 in an estate with a maximum capacity of 88,890). Scotland prisons are predicted to be full by June 24.

Other shocking statistics include:

- More than 44,000 people were sent to prison in the year to June 23, the majority for a non-violent offence. Almost two in five were sentenced to serve six months or less
- The length of sentences has steadily increased
- The number of remand prisoners has soared because of court delays
- Numbers of older men in prison are rising, bringing with it challenges of providing an appropriate level of care.

The government introduced a number of ways to manage the overcrowding crisis including:

- Housing prisoners in police cells
- Judges told to jail fewer people until such time as there was more capacity
- Releasing some "lower level offenders" on licence 18 days before their automatic release
- Legislating for "a presumption that custodial sentences of <12 months will be suspended"
- Extending the Early Removal Scheme, so the government has the power to remove foreign criminals up to 18 mths from 12 mths before they are due to be released
- Transferring prisoners to open prisons without conducting pre-transfer assessments (this was stopped very quickly)

These measures, introduced quickly and not funded, placed the probation service in particular difficulty



## Key issues cont...

*Prison conditions* deteriorated during the year with the Chief Inspector of Prisons stating that 1 in 10 prisons are barely fit for purpose and should be shut down if alternative buildings can be found.

He issued an urgent notification for improvement in five establishments in the past 12 months, due to significant concerns over the treatment and conditions of prisoners. He also identified that the prison system is under enormous pressure and failing in many of its principal responsibilities. An example of the poor state of prisons is that 'slopping out' continues in five prisons where men are locked overnight in cells without toilets, one of which is HMP Long Lartin involving 307 prisoners

*The impact of the state of prisons on prisoners* has been of great concern particularly:

- the effect on young offenders of restricted regimes and having to spend up to 21 hours a day in their rooms, and the restraints used
- the increase in mental health problems for all prisoners and the lack of support
- the treatment of women in prison, the rate of self-harm (more than 11 times higher than for males) and deaths, and the lack of care of those who are pregnant
- a rise in deaths in custody particularly self-inflicted, and increased levels of violence including against staff
- far fewer people in prison participating in education despite educational needs being more acute than ever. 17% (nearly 10,000 people), were assessed at Entry Level 1 for English (the literacy level normally expected of someone aged 5-7)

The evidence is overwhelming that the CJS is seriously stressed and that victims, those who have committed offences and their friends and families are badly affected.

Offending related factors are well known and have been repeatedly raised as the way to prevent crime and repeat offending.



The acute vulnerability of people leaving prison has been particularly highlighted and the lack of community resources to address issues of homelessness, accommodation, substance misuse and mental health.

In addition, around half of those entering prison are estimated to have some form of neurodivergent condition which impacts on their ability to engage with CJS requirements. This includes autism, ADHD, dyslexia, epilepsy, and chronic mental health illnesses such as bipolar disorder, anxiety and depression. In prison, responses to the environment such as busy and noisy wings, cell sharing and understanding of processes can lead to challenging behaviour that could result in them being disciplined or sanctioned

*Particular areas of concern* CJAG has noted with increasing concern the impact of the deteriorating situation on the following:

- Insufficient mental health resources to support people in the community and in prison
- Injustices and breaches of human rights with compelling evidence that race and ethnicity play an important role in all CJS decisions
- Staff shortages leading to lack of rehabilitation opportunities in prison and the community, and the inexperience of recruited staff
- The continuing restricted regimes resulting in long periods of time spent by prisoners locked in cells
- The court backlogs resulting in higher remands and waiting times for a court hearing which affect victims and witnesses as well as defendants and their families
- Lack of community resources to address offending related factors
- Lack of prioritisation of prison education despite half of the prison population assessed as not being functionally literate
- The continuing plight of those sentenced to Imprisonment for Public Protection (IPPs) and the injustice of their situation



## Part 2: The Way Ahead – Reflections and Prospective Thinking

### Reflections

The focus of this annual report has been mainly on prisons due to the amount of evidence available and it being at the sharper end of the CJS. This does not deny concerns about the system as a whole and the parlous state of all of the CJ agencies.

Serious weaknesses in the CJS have continued and reinforced many of the problems that have existed long term. This past year has seen further deterioration and very real concerns continue about the future of the CJS, the impact on those involved and the apparent lack of awareness that changes made in one area can potentially de-stabilise the whole system.

An increasingly punitive approach rather than addressing the causative factors of crime is reflected in government policies and the response from the MoJ when challenged on a number of issues continues to have been bland. It was clear that efficient and effective operation of the CJS is not seen to be a national priority nor was it evident that problems were being addressed and that long-term planning was taking place despite concerns being raised repeatedly from a number of sources.

The human cost of this approach and the lack of compassion for all those affected is heartbreaking.

### Societal/ Systemic Concerns

- The disproportionate impact of living costs and government policy on the poor & disadvantaged, and the increase of those living in poverty
- The impact of government policies that promote an increasingly punitive approach towards those vulnerable to social problems, and the revision of the Human Rights Act
- Gaps in public service provision and the lack of resources and inconsistencies to support rehabilitation and protect victims eg survivors of domestic abuse, mental health support, substance misuse services and lack of accommodation
- The lack of early help interventions to support families and prevent entry to the CJS
- The disproportionate funding of CJ agencies which affects how the whole system operates
- The politicisation of CJ matters leading to continuous change and lack of stability
- The piecemeal approach to problems and lack of long-term planning: a co-ordinated whole system strategy and plan are needed

- CJ agencies are not joined-up nationally either between government departments or strategically which makes it difficult to work together effectively on the ground
- The role of voluntary organisations depleted because of commissioning and funding rules
- The disproportionate treatment of women who offend
- Staff shortages, high level of inexperience, poor morale and stress in all criminal justice agencies

### Role of the Church/Diocese

- Understanding the impact of the societal/systemic concerns on local communities, people who have committed offences, victims/survivors and agency staff
- Recognising the strong link between offending and poverty/social problems
- Encouraging distinctive Church thinking in parishes, & increasing public awareness of the issues
- Including social and criminal justice in its priorities
- Working together in the Faith Community, harnessing congregational resources to contribute and influence at Parish, Deanery and Diocesan levels
- Supporting CJAG in its activities and challenges about criminal justice matters

### Criminal Justice Affairs Group

- Continue to focus on a small number of issues whilst keeping track of new developments and the overall CJS landscape
- Keep oversight of the CJS by “thinking global and acting local”
- Provide focused direction/activity on key issues
- Bring interested parties together to discuss a specific issue and to identify potential improvement actions
- Raise awareness in the diocese and parishes
- Find ways to influence policy and actions to address concerns
- Encourage religious organisations to challenge the growing use of punishment and ask whether it changes behaviour in a positive way and whether anyone is ‘incurable’.

## Part 2: The Way Ahead – Reflections and Prospective Thinking...cont.

### What next?

Continuing areas of interest for CJAG during the next year will include:

- The link between poverty and crime
- Social characteristics of those involved in crime such as homelessness/ accommodation, education/ school exclusion, and people who have experienced care, the inter-generational cycle and poor parental supervision
- The disproportionate impact on those from black and minority ethnic communities at all stages of the CJS
- Imprisonment for Public Protection Prisoners (IPPs)
- Mental health provision
- Support for victims/survivors
- Youth Justice

### Key focus points for the coming year

In order to best manage the group's work over the next year, CJAG will continue to focus on a small number of key issues whilst also keeping in mind the overall context.

In the coming year, the group will keep tracking issues in the CJS; identifying areas of concern and considering how we can be most effective in advising the Diocese; raising public awareness; and influencing thinking/policy where relevant. It was hoped to run an event on the link between poverty and crime during the year to raise awareness and understanding about the predicament so many find themselves in, and to support wider debate. This did not prove possible but remains an aim of the group.

CJAG will revitalise its membership and review how best to influence change, taking account of anticipated political transformation. Activities and achievements for 2024/25 will be reported at the end of the year.

### Conclusion

The past year has been very challenging for the CJS, and CJAG remains passionate about justice and the need to show compassion towards those in a powerless position and in need of support.

The group has tracked the deterioration in provision and the state of services with dismay, and noted the continuous stream of reports and audits from eminent bodies that appear not to have been acted upon.

Indeed there is a view that political over-rides to problems rather than addressing them and their root causes indicates that the law is not working properly. Human rights have been breached and the human cost to those involved has been enormous. There is no indication of a holistic view being taken and little understanding that piecemeal decisions and crisis management affect the way the whole system operates.

Within a national context of extreme problems and repeated reference to 'crisis' and 'systems being broken' across society, it is understandable that the CJS remains generally hidden and little interest is taken by the public.

Injustice and a lack of humanity towards some of the most marginalised in society remains a key moral and ethical issue for us all, and an appropriate focus for the Church.

In the face of such a dismal picture of the CJS and lack of action it would be easy for CJAG to yield to dispiriting thoughts of disbanding. Yet the group remains passionate about having a CJ system based on fairness and rehabilitation, and sees seeds of hope in mounting concerns about social problems such as domestic abuse, early years and mental health.

The group sees that much of the population is humane but this is not translated into the way we operate as a society. This is the challenge and CJAG will continue to work on the basis that "Justice will not be served until those who are unaffected are as outraged as those who are" (Benjamin Franklin). CJAG will therefore keep trying to raise awareness and thanks all those who have worked with us to pursue this.

