

Criminal Justice System items to note

Meeting on 17.3.2026

1. Statistics

1.1 Prison Population Projections 2025-2030 MoJ publication

1.1. CJS statistics MoJ statistical bulletin

These show the unrelenting pressure on the CJS in general and the prison population in particular.

Key statistics include:

- Those formally dealt with by the CJS increased by 6%, the highest since 2017
- Recorded crime increased by 1% (6.73m) mainly due to changes and improvements in police activity and recording practices
- Out of court disposals increased by 10% due to a 16% increase in community resolutions. All other types of out of court disposals fell
- 48,931 people were released early between 10.9.24 and 30.9.25. Despite this the prison population remains virtually unchanged from last year
- 12,836 people were recalled in a 3 month period, an increase of 29% on the previous year, a significant component being the high number released early without access to proper support
- 246,502 were under probation supervision (up 2%) partly due to the volume released early
- In the 12 months to December 2025, there were 394 deaths in prison custody, a 15% increase

1.2 Prison Key prison facts Bromley Briefing Winter 2025/6

The less well-known issues include:

- Of the 47,000 people sentenced in the year to June 2025, 57% had committed a non-violent offence and 32% were sentenced to serve <6 months
- Longer prison sentences - more than 3 times as many were sentenced to >10 years in 2024 than in 2010 (12% of the prison population). This is a very high figure
- 13% are not subject to automatic release until the end of their full custodial term
- 946 IPP prisoners have never been released 73% of whom have spent an additional >10 years on top of their tariff (25% >15 years) - the median tariff length is between 2-4 years. 1,476 (61%) have been recalled
- Remand numbers remain at its highest level in 50 years, and account for 20% of the prison population. 66% are awaiting trial, the remainder awaiting sentencing. 32% had been held in prison beyond the 6-month custody time limit and 5% for more than 2 years
- A quarter of prisoners are housed in prisons with Victorian-era accommodation. Green space is limited, and both damp/coldness and overheating problems are caused by thick walls and poor ventilation. Narrow landings and steep staircases cause accessibility problems for an ageing prison. Inspectors raised concerns about living conditions in 24 of the 38 adult prisons inspected in 2024/25. Overcrowding persisted, with cramped cells and insufficient screening around toilets. Vermin infestations were not uncommon
- The average annual overall cost of a prison place is now £56,987
- 12% of the prison population are Foreign Nationals, coming from 175 countries - over half from 11 countries (Albania, Poland, Ireland, Romania, India, Jamaica, Lithuania, Pakistan, Iraq, Iran, and Portugal)
- 10% of women prisoners are serving an indeterminate sentence, 98% of these on life sentences. Women convicted of more serious crimes are spending longer in prison.
- Whilst the number of children sentenced to custody has fallen steeply since 2009/10, sentence lengths are getting longer. 68% are for offences of violence against the person, and 43% are on remand.

1.3 Prison Capacity Annual Statement 2025

As of 30 September 2025, the adult prison population was 87,465 (69,398 sentenced, 17,700 on remand & 367 non-criminal). When accounting for the Sentencing Act 2026 measures, the adult prison population is projected to rise to between 92,400 and 100,000 by November 2032, with a central estimate of 95,900. This is driven by several factors including continued growth in police

charging and prosecutions; increased flows into the courts; and rising sentence lengths. It concluded that there is no longer a chronic deficit extending into the next decade and supply is expected to meet demand - a significant step forward. However the prison estate remains under considerable pressure and will require ongoing investment. The CJS cannot operate in isolation. To manage demand, it is essential that the Government takes a unified approach to consider the downstream impact of wider policies on courts, prisons and probation.

Staffing levels

- Prison staff: the target staffing level reflects the number of staff required to run an optimal regime in each prison, which is higher than the minimum needed for a prison to operate safely. As of 30.9 2025, staffing levels stood at 95% of the national target, down from 2024
- Probation staff: The caseload has become more complex, and the service has undergone two major reorganisations. The legacy of these changes was a depleted workforce, both in headcount & experience, which reduced organisational resilience and placed sustained pressure on remaining staff. Since reunification, sustained action has been taken to rebuild the Probation Service and the total workforce has grown by 22%. Staffing levels vary across regions, ranging from 67% to 90% of target.

1.4 Sentencing trends over the last 20 years *Sentencing Academy statistical report*

There has been a significant fall in the volume of sentences being passed from almost 1.5 million in 2005 to less than 900,000 last year. The use of community orders has declined and imprisonment and suspended sentences have increased. More than two thirds of all sentences are fines.

2. Legislation

2.1 Sentencing Act

This has now received Royal Assent but the measures will not take effect immediately, allowing the Probation service and victim's support groups time to prepare for the changes. Implementation will be phased over the next 2 years, with changes to how long offenders stay in prison on recall expected to begin in the coming months, and the earned release model to be rolled out in the Autumn. Key reforms in the Act include:

- A new "earned progression model" with prisoners who behave badly spending longer in prison
- Tougher community punishments eg new powers for judges to bar criminals from pubs, concerts and sports matches, curtailing offenders' freedoms as punishment, financial penalties that force offenders to pay back for their crimes or unpaid work orders
- New "restriction zones" to restrict offenders to a certain area, allowing victims to travel without fear of seeing them
- A judicial finding of domestic abuse in sentencing allowing CJ agencies to identify domestic abusers, and ensure better monitoring and the right measures are in place to protect victims

2.2 Courts and Tribunals Bill

The House of Commons Justice Committee has issued a call for evidence to inform its scrutiny of the Bill and has already engaged the Lord Chancellor about the likely impacts of the legislation, including on the prison population. Diverting more cases into the Magistrates Courts will reduce periods spent by defendants on remand, and demand for jail places. The government's impact assessment published alongside the Bill estimates the net effect will be an increase of 900 prisoners by 2033 before they gradually start to fall. The Bill allows for Magistrates sentencing powers to increase to 18 or 24 months

3. CJS agencies

3.1 Courts

3.1.1 Independent Review of the Criminal Courts Part 2 of Sir Brian Leveson's Review

This makes clear that "chronic underfunding" is the main cause of the backlogs and inefficiencies besetting the court system. Related to this is the lack of an experienced legal workforce which is exacerbating current problems. It states that: "Courts, prisons and probation are also working under intense pressure with very limited capacity and decreasing efficiency". The problem is defined as "fragmented governance and siloed decision-making with a lack of unified vision and accountability

across agencies and across the country” and notes that the police, CPS, the defence community, HMCTS and HMPPS all have their own financial constraints and their own priorities including legacy IT systems and poor interoperability that hinder adaptability. His recommendation is a single vision for the CJS, with policy decided by Ministers and coordinated leadership directed from within the MoJ. There are a number of recommendations and the report makes it clear that more funding and better efficiency are critical, but that they will only have limited impact without structural reform.

3.1.2 Vision for the future of the court system Deputy Prime Minister announcements

This stated that the vision “will deliver faster and fairer justice for victims by combining investment, reform, and modernisation”. Several key measures will be taken forward from Part Two of the Independent Review of Criminal Courts and include:

- creation of a National Listing Framework, standardising the process of how it is decided when cases are heard in court to stop there being variation between courts
- support for the courts and judiciary in resolving older cases through “Blitz” courts, also making it less likely that court time is wasted when a case cannot proceed at the last minute. From April 2026, these Blitz courts in London will focus on assaults on emergency workers and to progress and clear older cases that have been waiting years for justice
- production of a plan to dramatically expand AI usage throughout the court system to better support the courts, save time and improve efficiency and transparency eg transcribing more hearings (including Immigration and Asylum Tribunals); anonymising material across the court system as well as summarising judgments; and piloting an AI-assisted listing assistant & digital scheduling
- Expanding Case Co-ordinators to all Crown Court centres to move cases forward and handle routine tasks that would otherwise take up judges’ time
- Working with the judiciary to expand the pool of judges eligible to be filmed when passing sentencing
- Investing in new video infrastructure to expand online hearings

Criminal courts are to be funded at the highest ever level to hear as many cases as possible next year. There will be no cap on the number of days the Crown Court can sit and the magistrates’ courts will be funded to the highest operational capacity. For the first time, firm funding commitments have been agreed for the next 3 years, giving the justice system the long-term stability it needs to plan ahead and implement the reforms necessary to safeguard the system. A further £287m will also be invested into the fabric of the court estate itself, delivering vital repairs and digital upgrades to court buildings up and down the country. The Immigration and Asylum Chamber will be funded to a maximum of 26,000 days, an increase of over 3,000 since last year, to tackle the growing asylum caseload. Civil courts will also see higher investment.

3.1.3 Jury trials Report by the Institute for Government

This says that the impact of restricting jury trials will have a negligible impact on the courts backlog and will unlock only relatively modest reductions in demand given the scale of institutional upheaval. It argues that instead the Government should focus on reversing productivity declines.

There are three key elements to the government’s proposals:

- Encouraging magistrates’ to hear more cases by raising their maximum sentencing powers from 12 to 18 months, with the possibility of further increasing them to 2 years
- Introducing judge-only trials for around a quarter of crown court trials, known as ‘swift courts’ or the ‘crown court bench division’
- Removing the right of defendants in moderately serious cases to decide if they want to be tried in a magistrates’ or crown court

All of the most serious ‘indictable only’ cases, such as robbery, rape and the most serious violent assaults, will continue to be eligible for a jury trial. Only moderately serious ‘either-way’ cases will be eligible to be heard in magistrates’ courts or by a judge alone covering a wide range of offences like fraud, serious theft, drug supply and most weapons offences. The report says this would produce relatively minor gains, particularly given the institutional upheaval, political controversy and likely damage to public confidence from substantially reducing access to jury trials. It acknowledges that they would reduce demand on the crown court, in both number and the total amount of time it takes to hear those cases but the reductions are not substantial. They argue that productivity is at the

heart of the problem in the criminal courts. The crown court hears almost 20% fewer hours per sitting day than it was in 2016/17 - the case backlog grew by nearly 8,000 (10%). Reasons include a shortage of criminal lawyers, poor court administration and a long-running lack of investment in court buildings and physical and technological infrastructure.

3.1.4 Court Custody Estate Independent Monitoring Board Annual Report

This found “ongoing systemic failures” across the court custody estate, despite some improvements eg the introduction of dedicated accommodation for children in 20 courts. Observers found that in 44% of monitored journeys where women were transported alongside men, one or more men had been charged with, or convicted of, sexual offences or domestic violence against women, and in 38% of monitored journeys involving children at least one child had been transported with an adult. The national chair said: “Safeguarding often vulnerable people in court custody must move beyond aspiration and become embedded in everyday practice. The experiences documented in this report demonstrate that the current situation is not acceptable and underline the need for sustained and coordinated action.” The report also raises concerns about Serco’s decision to remove the artworks created by prisoners at HMP Doncaster from court custody suites, some of which were accompanied by motivational quotes. They were commissioned by the Prisoner Escort and Custody Services to brighten court cells and custody areas which, according to the report, are “bleak” and often underground, with little or no natural light. A government contractor installed the artworks which Serco-operated courts “quickly removed following instructions from Serco management”. Serco has been accused of ‘petty and vindictive’ removal of artwork from court cells.

3.2 Police

3.2.1 Policing White Paper. ‘From local to national: a new model for policing’

This sets out a comprehensive package of policing reforms, focusing on 4 main objectives and committing the Government to creating a modern and effective police service through:

- *Serving the public* ie more rooted in local communities, “re-energising” neighbourhood policing and delivering 13,000 more officers into neighbourhood roles. Reducing bureaucracy, clarifying the line between freedom of speech and criminality and rolling out AI powered tools and software to automate manual processes will save police time that can be “redirected towards serving the public”
- *Structural reforms* including substantially reducing the number of police forces (rumoured to be 12); abolishing PCCs, replacing them with directly elected mayors or Policing and Crime Boards made up of local council leaders; dealing with the apparent conflict between more neighbourhood policing but larger regional police forces by creating new Local Police Areas within each of the new forces; and creating a new National Police Service which “will bring together existing national bodies, including the National Police Chiefs’ Council, the College of Policing, the National Crime Agency and Counter Terrorism Policing, into a single organisation with a clear mandate and the powers “to get things done”
- *High standards*, raising these and performance by establishing a set of national policing guarantees underpinned by a small number of targets to ensure that the police deliver a consistent level of service. The Government is launching a new police performance framework which aims to provide a clear set of enduring expectations for policing to support analysis of performance across the breadth of crime and policing activity
- *Modernisation* including recruiting more specialised staff to tackle modern challenges; introducing a Licence to Practise for police officers; developing a new workforce strategy; equipping police officers with modern data and technology eg expanding live facial recognition; and strengthening the focus on crime prevention

3.2.2 Facial recognition pilot Article

Metropolitan police officers are to start scanning citizens’ faces using automated facial recognition technology to check their identities, in a move backed by the mayor of London but described as “alarming” by opponents. 100 officers will use the roaming technology, commonly deployed on smartphones, for 6 months. Face scanning has already been deployed by police with cameras on vans and in fixed locations in Croydon, Manchester and South Wales. Retrospective facial recognition systems are widely in use across the UK. The Met has also signed a £490k 3-month

contract with the controversial American AI firm Palantir to try to detect rogue officers based on their wider conduct. The pilot was agreed as the Equality and Human Rights Commission called for a new independent oversight body to regulate the use of facial recognition technology in the UK: "There is a danger that these technologies can be inaccurate and falsely identify people. The data shows that there are racial disparities for false positive identification, causing human rights infringements and distress to those affected. That is why a strong legal framework is needed." It was recently revealed that the police arrested a man for a burglary in a city 100 miles away that he had never visited after software confused him with another person of South Asian heritage. The Met said more than 100 wanted criminals were arrested in the first three months of the Croydon pilot when cameras were mounted on lamp posts.

3.3 Prisons

3.3.1 Prison Reading Launch of the first ever Prison Reading Laureate

Author Lee Child, best known for the Jack Reacher book series, has been announced as the first ever prison reading laureate, created to champion the importance of literacy skills in helping prevent prisoners from reoffending. The initiative is part of the National Year of Reading 2026. It comes as data shows more than two-thirds of prisoners enter prison with reading levels below GCSE standard - many at primary school level. This can create major barriers to living crime-free lives, such as being unable to secure a job on release.

3.3.2 Safety of high-profile prisoners Media article

The Prison Service is facing questions over the ability of high-security jails to protect notorious prisoners, after the recent death of Ian Huntley. The assault attracted widespread media coverage and follows the recent murders in another high-security prison of two high-profile men serving sentences for sexual offences. A prison governor said: "While nobody may shed many tears, that is not the point. A high profile prisoner in one of our high security jails has been stabbed to death in a prison with no coherent strategy to reduce violence."

3.4 Probation

3.4.1 Efficiency and resilience of the Probation Service Public Accounts Committee Report

This concludes that the service has been "pushed to the brink of collapse" and risks endangering the public. The Committee Chair also expressed his concern for staff: "It was deeply alarming to hear of probation staff working under immense pressure in a seemingly toxic environment, in a culture built on emotional strain and trauma. This not only raises concerns about the toll the overall system is taking on their mental health but the impact it is having on their ability to perform their duties. The public's safety relies on them doing so." Performance has worsened since probation was brought back under full public control in 2021, mainly due to staff shortages - in March 2025 there was a 21% vacancy rate in the probation officer grade. Staff shortages have been exacerbated by HMPPS's serious underestimation of the staff that it required - having failed to update old data for years meant that it has only recently realised that the service has been operating with around half of the sentence management staff it needs. HMPPS acknowledges that the current system is unsustainable and whilst recruiting more staff, efforts to reduce the gap include lowering workloads through new digital tools, improving processes, and changes to the level of supervision for some offenders. The Committee cautions these changes may cause further disruption, and increase pressure on staff who are already significantly overworked. The report says it is vital that the programme goes beyond applying a sticking plaster to the service and that it creates sufficient headroom to allow staff time for learning and development, to enable significant improvements in performance. The Committee states baldly that it is not confident that the MoJ and HMPPS can successfully manage the risks associated with the new "Our Future Probation Service", and highlights the risk that constant changes can disrupt services, contribute to poor outcomes and staff stress. Even more fundamentally, it says it is "not satisfied" that even if the programme is successful, it will free up sufficient capacity to improve performance. It concludes: "Well-run probation is a must-have, helping those who have served their time find their place back in society. HMPPS accepts that the current picture is unsustainable, but its own planned changes could cause further disruption and place more pressure on overstretched staff. The probation service is already teetering on the brink. Government's immediate goal must be to avoid making matters worse."

3.4.2 Staff retention *Research to understand the reasons for probation staff to leave or stay*

New research examines the complex reasons why staff choose to remain in or leave the Probation Service. It was evident that there were multiple pressures impacting on probation staff including change fatigue, intolerable workloads and comparatively poor pay and conditions. Reasons for people leaving include wider structural factors such as relentless iterations of significant organisational reforms. On top of this, staff described dissatisfaction with their pay and conditions, poor remuneration being a factor particularly in the context of very high burdens of responsibilities. Work in other sectors was seen to have a much lower level of responsibility. This was compounded by a sense of diminished autonomy, with pressures to make sure boxes were ticked to meet centralised targets and to avoid the calamity of being held accountable for 'missing something' if a serious further offence occurred. In this context staff described practices driven by defensiveness and a diminution of what they considered to be their core role – time to work directly with people under supervision. Many talked about staying because of loyalty, not to their employer (now the amorphous civil service), but to the people they worked with, the idea of probation work or 'a vocation'. Staff often rationalised excessive working hours and 'getting on with it' as something probation staff do, due to being a vocation, necessary to meet the people's needs, and/or as a means to stave off anxieties. Many talked of the pressures of work spilling over into their home lives. If the new Sentencing Act achieves the government's aspirations of sentencers using more community sentences the probation workload will only increase further. The researchers conclude that HMPPS should place as much emphasis on staff well-being and retention as on the ongoing recruitment campaigns and make much more of an effort to listen to probation staff and why they are so dissatisfied with their current vocation.

3.5 Youth Justice

3.5.1 Plans to modernise the youth justice system *Policy statement on "A modern youth justice system: Foundations fit for the future"*

This acknowledged the considerable success of the YJS over the past two decades, with significant reductions in first-time entrants, proven offences, and the number of children in custody. However children who come into contact with the system today often present with increasingly complex needs and face significant barriers to rehabilitation, and the current system is not meeting this new challenge. The policy paper sets out the Government's plans to modernise the governance and funding of YJ services, strengthen early intervention, and ensure custody is only used as a last resort. Further reforms will be announced later this Spring and an independent review of the Youth Justice Board (YJB) has been announced. The government clearly wants to take back more control by relieving the YJB of its roles in developing standards, overseeing how well they are being met and advising ministers accordingly. It proposes that this arm's length body will no longer be responsible for payment of the core grant which will be directly distributed by the MoJ on a 3-year cycle. The Government also admits that the current conditions for children in custody are "dismaying" although its plans for improvement consist mainly of initiatives announced previously but not successfully implemented. Unlike with the adult justice system, YJ is not struggling for resources. While work in the community has generally been of a high quality, the plight of children in custody has been steadily worsening from a very low base. The proposals appear to represent a fundamental move away from the current YJS towards an uncertain future of central government domination which is of concern to many. A former YJB CEO has warned of negative consequences of the government ignoring the recommendations from the Crocker review. The core thrust of this was to retain the basic architecture while suggesting an update of the YJB's stated functions, setting out a carefully argued description of the relative roles of the civil service and the YJB to advise the government. The outcome will be a greater separation of practice experience from policy making, the deployment of more advisers with no actual experience of the system, and the reduced likelihood that ministers will hear dissenting voices.

3.5.2 Knife crime *Government statement*

Children who carry knives will be given earlier and more targeted support following stabbings at a secondary school. Every child caught with a sharp weapon will be given a mandatory, specialised plan from the authorities. Police will refer every child knife possession case to YJ services - locally

led teams spanning health, education and community services tasked with mandating targeted action to help each child. They could be forced to attend mentoring to stay in education or social skills training to boost employability. The aim is to address the root causes of a child's offending, including potential exploitation by criminal gangs and childhood trauma. These plans will be mandatory, with no child able to avoid getting the support they need. Failure to engage will have serious consequences, such as possible criminal charges and custody. The plans will be backed up with a first-of-its-kind 3-year wider funding package for the YJS, worth more than £320m.

3.5.3 Use of PAVA sprays Howard League for Penal Reform legal challenge

The charity went to court to challenge the decision to authorise the use of PAVA spray in three prisons holding boys as young as 15 for a 12-month period. The High Court ruled that the government's decision to authorise the weapon's rollout was lawful: "The Secretary of State was closely involved in the formation of the PAVA policy and was insistent upon thorough safeguards being introduced concerning its use, as well as constant 'live' monitoring and oversight". Its usage was expected to be extremely rare as a last resort, and "only where there was an immediate threat of life-changing or life-ending violence." The judge acknowledged that the MoJ did not expect its introduction to reduce overall levels of violence and harm, and that it may in fact cause a "long-term escalation and rising tenor of violent behaviour", but officials believed it had the potential to prevent immediate and serious harm/violence. The Secretary of State was aware that Black, Muslim and children with disabilities were likely to be particularly adversely affected by the decision and stated that "this is her red line and she would not defend disproportionality in use". The Howard League was not alone in opposing the government's decision, and a joint statement signed by 38 organisations and individuals working in children's rights and youth justice called it "an abject failure in safeguarding those children held in custody". The CEO said: "PAVA is a chemical irritant spray that can cause severe pain, and it is classified as a prohibited weapon under the Firearms Act 1968. Its authorisation for use against children is indicative of how toxic the prison system has become. Clearly, today's decision in court is not the outcome we hoped for, and our disappointment will be shared by the many individuals and organisations who have stood alongside us in opposing this policy. The judge seems to have taken comfort from the reassurance offered by the government that PAVA spray will be used extremely rarely and as a last resort. Unfortunately, we are already receiving calls from children who have been impacted by the use of PAVA spray. A strong theme is that, far from being a last resort, PAVA spray has already become a normalised response to incidents of violence".

3.5.4 Justice-Involved Neurodiverse Children Research paper

Children with special educational needs and disabilities (SEND) and those defined as 'neurodiverse' are significantly over-represented in the YJS. Evidence points to significant challenges in neurodiverse children's lives before entering the justice system that increase the likelihood of criminalisation. Once in the YJS they encounter further challenges that are both harmful and arguably inconsistent with their human rights. The research shows that neurodiverse children often have their rights compromised both prior to and throughout their involvement with the YJS. The challenges faced have increasingly drawn the attention of charities, government representatives, policymakers, and practitioners. Recommendations include:

- targeted, trauma-informed family support for neurodiverse children and their families could reduce *school* exclusions and eventual justice involvement
- improving the experience in *police custody* eg compulsory neurodiversity training for police and legal advisors attending the police station; mandatory screening for educational needs and/ or neurodiversity in the police station; the provision of intermediaries during police interviews for all child suspects with identified SEND or neurodivergence; & improving the physical conditions for children detained in police stations
- adopting the Scottish Children's Hearings system, which considers both welfare and criminal issues within the same *court*
- There is overwhelming evidence to suggest that *prisons* are particularly harmful for neurodiverse children with suggestions to appoint Neurodiversity Support Managers across the prison estate to provide training and guidance to prison staff, improve processes to identify and support prisoners' needs, and ensure reasonable adjustments are made

The paper argues that the UK government is falling short of most of its obligations set out in international and national frameworks intended to protect neurodiverse children. While there have been promising initiatives to address some of the disparities in rights and an important recognition of the need for improved support for neurodiverse children within the justice system, these efforts are largely practitioner-driven, resulting in inconsistency and fragmentation. National leadership is required across government to comprehensively close the rights gap for neurodiverse children. It is vital that England and Wales follow the example set by their Scottish neighbours and place children's rights front and centre of any future policy development, especially given that such a high percentage of children in the YJS have SEND or are considered neurodiverse

4. Other issues

4.1 Drugs and alcohol

4.2.1 The cost of tackling drug harms in prisons *National Audit Office*

The report focuses on how effectively the prison and health services are using public funds to tackle drug use within prisons, how funds are prioritised and how well the two services work together. The services know they face substantial, increasing and rapidly changing threats from illicit drugs in prisons with 25% more drug finds this year; higher availability of novel substances such as more potent synthetic opioids; and the increasing use of drones to convey drugs into prisons. HMPPS has significantly underspent on two investment programmes aimed at reducing drug harms in prisons (gate security was the largest), using the money instead to cover other operational activities. Equally NHS spending on mental health and substance misuse treatment in prisons was lower in real terms (5% decrease). HMPPS has sought to reduce the quantity of drugs getting into prisons, but has been too slow in responding to urgent threats, leaving some prisons vulnerable. Prison governors said they do not have sufficient resources to respond to threats in an agile way eg broken security equipment not being repaired and work to improve window security taking several years. Drug free or recovery wings have not been properly implemented, and health commissioners have limited evidence to demonstrate cost effectiveness. Capacity pressures and a lack of alignment between performance metrics for prison and health staff are hindering effective joint working which was weak. The main recommendations are:

- HMPPS should respond with more urgency to identified security weaknesses at specific prisons
- Better information on prevalence is needed to prioritise funding
- Commissioners need better health needs assessments of substance use, standardised formulae to benchmark the cost of services, and better KPIs
- Closer partnership arrangements which support better alignment of incentives to shared goals on health-related interventions
- HMPPS and NHS to draw on robust evaluation to understand what works and encourage best practice

4.2.2 Drug and alcohol *Extract from a call to action by the charity Collective Voice*

The situation regarding alcohol and other drugs could not be more urgent. We are seeing the highest rates of drug-related deaths ever recorded and the emergence of synthetic opioids in the UK has prompted the National Crime Agency to warn that 'there has never been a more dangerous time to take drugs'. A strategy with clear priorities needs to drive change but over a year into the Government's tenure, there remains a lack of clarity in how their missions will be achieved, and the role of substance use treatment in this. We need them to outline clear aims and priorities, and offer political leadership, ensuring relevant professionals and organisations focus on this life-changing work. Charities responded promptly, effectively and efficiently to the challenge laid down by Dame Carol Black's independent review of drugs and the Government's subsequent strategy. There are now more people in substance use treatment than ever before recorded, and the continuity of care between prison and community has vastly improved. Where the previous drugs strategy sought to move 'From Harm to Hope', the Government must now progress from hope to delivery. 5 clear steps for the Government to achieve this are to:

- Publish a position statement on drug and alcohol treatment and recovery services to reaffirm their commitment to reduce deaths and crime linked to alcohol and other drugs

- Restore the 5-year programme of investment, ringfenced and protected against inflation and other cost pressures
- Make residential treatment an accessible option in every part of the country - the current funding system is an inefficient postcode lottery
- Commission services in prison directly with the provider, separately from other health services, through a partnership including local authorities and prison governors, ensuring appropriate pathways are in place from prisons to community & residential treatment/recovery services
- Develop a detailed and fully resourced plan to deliver the recommendations of the Sentencing Review

These five steps are the start of a journey and as Dame Carol Black said in 2021, “Government faces an unavoidable choice: invest in tackling the problem or keep paying for the consequences.” This is an urgent call for the current Government to make the right choice and tackle the problems related to alcohol and other drugs head on.

4.3 Victims Government announcement

All victims are to have free access to judges’ sentencing remarks in their case, providing clarity and closure to move forward with their lives. This is the latest measure to improve transparency and victims’ court experiences, consistent with the Leveson Review recommendations. Victims typically have to pay £40 to access sentencing remarks - but it can be hundreds of pounds for some. The change not only makes justice more accessible, but puts it firmly on the victims’ terms if they are not able to attend the sentencing hearing of their perpetrator, which can be a retraumatising experience

4.4 Women offenders

4.4.1 Women in custody *Extract from article by Phoenix Futures*

Women in custody are among the most marginalised in our communities. Many live with trauma, poor mental health, poverty, homelessness & substance use, and have experienced domestic abuse or sexual violence. Many are primary caregivers. Almost all have faced significant adversity long before they enter the CJS. International Women’s Day is a time to celebrate progress but also to face hard truths. One of these is: some of the most vulnerable women in our society are still more likely to go to prison than into treatment, to be separated from their children than supported to recover alongside them, and more likely to experience systems as punitive rather than protective. And yet, for some women, prison is the first place they experience stability, stop substance use, have routine, and have a bed of their own. Prison should not be the safest place a woman knows. If we are serious about fairness and prevention, we must strengthen real alternatives to custody and create clear, gender-specific pathways from custody into residential rehabilitation. Treatment should not be a last-minute option at crisis point. It should be considered early - before custody, instead of custody, and directly from custody when appropriate. Women leaving prison or facing court are often trying to navigate probation, social care, housing, safeguarding and mental health services all at once which for women with histories of trauma, especially those who have felt judged or harmed before, can feel overwhelming and unsafe. Alternatives to custody are not about avoiding accountability but about responding to the realities of women’s lives, trauma, motherhood, coercion & poverty with structured, intensive, trauma-informed treatment options, including residential services, and protect both women and their children. As a society, we often expect the most from the women who have the least support. We ask them to stop using substances, comply with probation, attend court, secure housing, engage with safeguarding and parent under scrutiny all while managing trauma and fear. Women in custody do not lack resilience but need accessible, gender-specific, trauma-informed alternatives that recognise both risk and potential. Recovery for women, whether alone or alongside their children should not be rare. It should be expected.

4.4.2 Acquired Brain Injury link to domestic abuse *HMI Probation’s Academic Insight Report*

This examines the prevalence of Acquired Brain Injury (ABI) and its links to domestic abuse in justice-involved women, making the point that this is an often hidden and poorly understood consequence. Physical assaults are often targeted at the head, face, and neck, and non-fatal strangulation is increasingly recognised as both a common feature of domestic abuse, and severe

in its neurological impact. The resulting brain injuries can have significant consequences, impacting survivor's memory, attention & concentration, speech & language skills, impulsivity, and vulnerability to mental health difficulties including suicidality and substance use. However, because brain injury can occur with or without physical disability, these difficulties are often misattributed or misunderstood in justice settings as being behavioural issues, non-compliance, or mental health difficulties. ABI is defined as a spectrum condition, meaning that the consequences can vary widely from milder symptoms which may resolve completely within a number of weeks, to very significant lifelong impairment. Findings from a number of recent studies "indicate that almost all women in contact with the justice system have experienced domestic abuse, and that ABI is a significant consequence – affecting the majority of justice-involved women". Despite its high prevalence, prison and probation officers rarely receive ABI training, and many have misconceptions about what an ABI is and how it might affect the individuals they are working with. Most of the research on the ABI outcomes in the justice system is with men, but there is sufficient evidence for justice-involved women to show a consistent pattern:

- they face significantly more challenges both in custody and on probation
- they are more likely to have co-existing trauma, mental and physical health, & substance use difficulties
- they are more likely to have repeated contact with the justice system.

ABI often co-exists with, and can compound, existing adversity eg someone with mental health difficulties may find accessing support more difficult; memory and executive function difficulties can impact their ability to firstly remember appointments, and then to arrange transport to get there. As a result, they may be judged as 'unmotivated' to access treatment or assessed as non-compliant. Studies suggest a number of helpful practical advice for probation officers including repetition of key points; meeting in a quiet space free from distractions; making sure appointments are put into calendars with electronic reminders; and scheduling briefer and more frequent appointments.

4.4.3

Pregnant women prisoners Media article

Pregnant women prisoners are being handcuffed to prison officers, often male, during intimate vaginal examinations and long, agonising births. One example is of a model prisoner convicted for a non-violent drugs offence and not deemed to be at high risk of escape being taken to hospital, handcuffed and chained to a prison officer and remained so for the 36 hours of a long, difficult birth. "I assumed they would be removed at the entrance to the hospital and was so shocked when the cuffs weren't removed. When I told the prison guards who had brought me to hospital about what the Birth Companions booklet said, they replied 'We don't know what that book is, we're not going to abide by it.' I felt so scared. It was my first baby, I didn't know what to expect from birth and I wasn't a risk to anyone." Following an anonymous TV interview about her ordeal, the prisons minister announced an independent investigation by the prisons and probation ombudsman into the practice of handcuffing pregnant prisoners during antenatal appointments, intimate examinations and labour. Information on the number handcuffed during labour and birth is not routinely collected by officials. While lawyers, campaigners, female prisoners and those released welcome an investigation, they have concerns about this not complying with human rights standards. One law firm representing several women has sent a "pre-action" letter to the justice secretary, arguing that the investigation must be independent, allow oral evidence and legal representation, and include appropriate scrutiny of systemic policy failures and individual misconduct. The PPO has not yet been formally commissioned and the terms of reference are still to be finalised. Two women are bringing legal action for assault, battery and human rights breaches, both having had male and female prison officers present during labour despite previously experiencing male violence. "I felt like I was being mentally tortured during my labour. I was showering handcuffed and felt so degraded. In the end I gave up begging them to remove the handcuffs because I was so exhausted by the time I had to push my baby out." The CEO of Birth Companions stated: "It is outrageous that the practice of shackling imprisoned women in hospital is still happening. This is a symptom of a broken system, unable to provide safe and decent care, unable to acknowledge medical risk, and unable to show basic compassion. This is also a closed and secretive system. For years we have argued for women to be helped to understand their rights in custody, and to know about the policies that determine their care. The fact that they don't allows harmful treatment to continue unchecked."