



BRIEFING PAPER

Number 05646, 12 December 2018

The prison estate

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Summary

The prison estate in England and Wales contains 118 prisons holding people who have been sentenced or are on remand awaiting trial for a range of crimes.¹

The prison estate has a mixture of publicly and privately-run institutions some of which are newly built, while others date back to the Victorian era.

There has been growing concern that the prison estate is unfit for purpose. The estate includes many dilapidated and overcrowded prisons.

In his 2017/18 annual report, Her Majesty's Chief Inspector of Prisons, Peter Clarke, said that the inspectorate had "documented some of the most disturbing prison conditions we have ever seen – conditions which have no place in an advanced nation in the 21st century".

The Government is running a 'Prison Estate Transformation Programme' with the aim of building 10,000 new prison places, investing in repairs and renovations and reorganising the functions of individual prisons.

Many interest groups have been critical of the Government's approach, arguing that it does not go far enough to improve conditions and that projected rises in the prison population will continue to put pressure on the system.

Other Library briefing papers about prisons and prisoners

- [UK Prison Population Statistics](#), July 2018
- [Prison Reform: Recent Developments](#), December 2017
- [Safety in prisons in England and Wales](#), December 2017

¹ Some people held in the estate are immigration detainees awaiting removal, or people held for civil offences.

1. Understanding the prison estate

England and Wales

[Her Majesty's Prison & Probation Service](#) (HMPPS) has responsibility for running prison services in England and Wales. It manages public sector prisons and the contracts for private sector prisons.²

HMPPS is an executive agency, sponsored by the Ministry of Justice.³ Prior to April 2017, HMPPS was known as the National Offender Management Service (NOMS).⁴

HMPPS operates a directorate in Wales which coordinates prison and probation services there.

Her Majesty's Inspectorate of Prisons is the independent body which reports on conditions and the treatment of those in held in custody.⁵

Scotland and Northern Ireland

Prisons in Scotland are managed by the [Scottish Prison Service](#).

Prisons in Northern Ireland are managed by the [Northern Ireland Prison Service](#).

This paper discusses the prison estate in England and Wales.

1.1 The HMPPS estate

HMPPS manages an estate of 118 prisons⁶, an Immigration Removal Centre and three 'Secure Training Centres'. Outside the HMPPS estate, there are a further eight immigration removal centres.⁷

² GOV.UK, [Her Majesty's Prison & Probation Service: About us](#), [last accessed 12/12/18]

³ GOV.UK, [Her Majesty's Prison & Probation Service](#), [last accessed 12/12/18]

⁴ HCWS468, [Prisons and Probation: Written statement](#), 08 February 2017

⁵ HM inspectorate of Prisons, [What we do](#) [last accessed 12/12/18]

⁶ [Blantyre House](#) is currently closed so is not counted in this figure. Peterborough is counted as two prisons as it has two separate facilities (one housing male offenders, one housing female offenders).

⁷ GOV.UK, [Prisons and their resettlement providers- September 2018](#), [last accessed 15/11/2018], Home Office, [User Guide to Home Office Immigration Statistics](#), August 2018, p82 [last accessed 13/11/18]

Prisons and Young Offenders Institutions

There are several different types of prisons which nominally serve different categories of prisoner (see Section 1.2 below). Most prisons are managed directly by HMPPS, but some are run by private sector companies through contracts (see [Section 1.3](#) for more details).

Immigration Removal Centres

Separate from prisons, Immigration Removal Centres (IRCs) are used solely for the detention of people detained under the Immigration Act 1971 or under section 62 of the Nationality, Immigration and Asylum Act 2002. Prior to 2003, IRCs were called 'detention centres'.

There are 8 IRCs across the UK. Most IRCs are managed by private sector companies under contract to the Home Office. Only one, [Morton Hall](#), is within the HMPPS estate. [The Verne](#) was an Immigration Removal Centre but was converted to a public-sector prison in 2018.⁸

Secure Training Centres

Secure Training Centres (STCs) are institutions for young people up to the age of 17.⁹ There are three STCs in England and Wales which were all originally operated by private companies.

In October 2018, it was announced that Medway STC would be closed and reopened as a Secure School'.¹⁰

1.2 Types of prison and young offender's institutions

Prisons are categorised based on their 'predominant function'. Individual institutions may contain units that serve different kinds of prisoner, but the prison is categorised by HMPPS as one type of prison.

The Ministry of Justice website [Prisons in England and Wales](#) contains an information page for each prison in the HMPPS estate. These pages describe the types of offenders that are held in each prison and the services which are provided to them.

Adult male prisons

There are four main types of prison for adult males:¹¹

- 1 Trainer
- 2 Local
- 3 High Security
- 4 Open

The Library briefing paper [Immigration detention in the UK: an overview](#) provides an overview of the policy and practice of immigration detention in the UK.

The Ministry of Justice has published a [map of the HMPPS prison estate](#) on its website.

⁸ MoJ, [HMP The Verne](#) [last accessed 05/11/18]

⁹ Medway Improvement Board, [Final Report of the Board's Advice to Secretary of State for Justice](#), 30 March 2016, p10

¹⁰ Argar, E, [Secure Schools: Written Statement – HCWS1052](#), 31 October 2018

¹¹ GOV.UK, [Prisons and their resettlement providers- September 2018](#), [last accessed 15/11/2018]

Nominally, prisoners are assigned to a prison based on their personal security category. However, HMPPS may transfer a prisoner to another prison with a different security category at any time.¹²

Prisoner categories

Adult male prisoners are assigned an alphabetical categorisation between A and D (where 'A' signifies highest risk and 'D' signifies lowest risk) based on three factors:

- likelihood of escape or abscond
- the risk of harm to the public in the event of an escape or abscond
- any control issues that impact on the security and good order of the prison and the safety of those within it.¹³

The Library briefing paper [Categorisation of prisoners in the UK](#) discusses the system of prisoner categorisation in more detail.

Trainer prisons

There are 43 Category 'C' and 8 Category 'B' 'Trainer' prisons in England and Wales.¹⁴ These prisons are designed to house offenders at their corresponding category. Some category 'C' trainer prisons are "resettlement prisons" which hold prisoners on shorter sentences (between 12 months and 4 years) who will work with resettlement providers in the last three months of their sentence to prepare for release.

Local prisons

There are 29 'Local' prisons in England and Wales. These prisons hold those on short sentences, those awaiting trial or sentencing, and those awaiting allocation to another establishment.

Open

There are ten 'Open' prisons in England and Wales. Open prisons house category 'D' prisoners (those considered to be 'lowest risk'). Sometimes these are prisoners who have worked their way down the prisoner categories and are coming to the end of their sentence.¹⁵

High Security

There are eight prisons in England and Wales which are predominately 'High Security'. There are two types of High Security prison: 'Core locals' and 'Dispersals'. 'Core locals' serve a population as described above under the 'Local' heading. Dispersals spread category 'A' prisoners to ensure that the most dangerous prisoners are not held in a single establishment.¹⁶

¹² GOV.UK, [Prison life](#), [last accessed 12/12/18]

¹³ Prison Service Instruction 40/2011, Categorisation and recategorization of adult male prisoners

¹⁴ GOV.UK, [Prisons and their resettlement providers- September 2018](#), [last accessed 15/11/2018]

¹⁵ Ibid

¹⁶ Ibid

Simplifying the prison estate

As part of the Prison Estate Transformation Programme (PETP see [Section 3](#)) HMPPS have developed three new 'operating models' for prisons: 'reception', 'training' and 'resettlement'. HMPPS have said that the necessary changes to adopt the models will be complete by 2021.¹⁷

Adult female prisons

There are twelve prisons in England and Wales which house adult female offenders. Two of the twelve operate as 'open' prisons ([Askham Grange](#) and [East Sutton Park](#)).¹⁸

Prisons for young offenders

Young offenders are housed in three types of institution: 'Young Offender Institutions' (YOIs), 'Secure Training Centres' (see Section 1.1 above) and 'Secure Children's Homes'. The Youth Custody Service (part of the MoJ) decides on the type of institution in which a young offender will be held.¹⁹

YOIs house young male offenders aged between 15 -17 and 18 -20 in separate institutions. There are seven institutions in England and Wales which are predominately YOIs.

Secure Children's Homes are run by local authorities and house children aged ten to fourteen.²⁰ They are not part of the HMPPS estate, but places are commissioned by the Youth Custody Service.

Number of prison places

The operational capacity of the HMPPS prison estate²¹ is roughly **88,000**.²²

Of these 88,000 prison places around 3,800 are in institutions predominately for females and 2,700 are in institutions predominately for young people. The remainder are in institutions predominately for adult males.

1.3 Private sector prisons

There has been private sector involvement in the prison system in England and Wales since 1992. The timeline below, taken from an Institute for Government research paper, details the early history of private sector involvement in the prison estate:

¹⁷ [Her Majesty's Prison and Probation Service Annual Report and Accounts 2017-18](#), HC1175, p22

¹⁸ Note that Peterborough has both male and female units and is sometimes reported as one institution rather than two separate institutions: Ministry of Justice, [Peterborough Prison information](#) [last accessed 12/12/18]

¹⁹ HMPPS, [Guidance: Placing young people in custody: guide for youth justice practitioners](#), July 2014 [last accessed 15/11/18]

²⁰ GOV.UK, [Young people in custody: What custody is like for young people](#) [last accessed 12/12/18]

²¹ i.e. excluding Immigration Removal Centres and Secure Training Centres.

²² HMPPS, [Prison population figures: 2018](#), Population bulletin: monthly October 2018

1987	Select Committee on Home Affairs report recommends that the Home Office should enable private sector companies to tender for the management of prisons.
1991	Criminal Justice Act introduces competition into offender management services.
1992	HMP Wolds, the UK's first privately run prison opens.
1992	Conservative government announces its private finance initiative (PFI).
1997	New Labour government comes to power and adopts the PFI approach.
2000	Two privately run prisons are returned to the public sector.
2003	Carter Review recommends greater use of competition in the prisons sector.
2004	National Offender Management Service (NOMS) is established.
2010	Coalition Government comes to power and pushes ahead with a policy of privatisation.
2011	HMP Doncaster becomes the first prison to be run on a 'payment by results' (PBR) basis.
2011	HMP Birmingham becomes the first public sector prison to be privatised.
2011	Coalition Government announces competition for nine prisons.

[Source: Institution for Government, [Competition in prisons](#), November 2012, p1]

Which prisons are operated by private sector companies?

There are fourteen prisons in England and Wales that are managed by private sector companies.²³

Three different companies operate these prisons: G4S (five prisons), Serco (five prisons) and Sodexo (four prisons).

Birmingham, run under contract by G4S, has been managed by the public sector as part of a 'step-in' plan to improve services since August 2018.

Prisons operated by private companies in England and Wales						
	Operator	Predominate function	Operational capacity	Contract type		Contract details
Altcourse	G4S	Local	1,184	PFI		Expires 2021-22
Ashfield	Serco	Cat C Trainer	400	PFI		Expires 2023-24
Birmingham	PSP	Local	1,034	Contracted out	15.5 year contract awarded Apr-11	
Bronzefield	Sodexo	Female	557	PFI		Expires 2028-29
Doncaster	Serco	Local	1,145	Contracted out	15.5 year contract awarded Mar- 11	
Dovegate	Serco	Cat B Trainer	1,160	PFI		Expires 2024-25
Forest Bank	Sodexo	Local	1,460	PFI		Expires 2023-24
Lowdham Grange	Serco	Cat B Trainer	888	PFI		Expires 2021-22
Northumberland	Sodexo	Cat C Trainer	1,348	Contracted out	15 year contract awarded Jul- 13	
Oakwood	G4S	Cat C Trainer	2,106	Contracted out	16 year contract awarded Apr- 11	
Parc	G4S	Cat C Trainer	1,719	PFI		Expires 2021-22
Peterborough	Sodexo	Local	1,240	PFI		Expires 2028-29
Rye Hill	G4S	Cat B Trainer	664	PFI		Expires 2024-25
Thameside	Serco	Local	1,232	PFI		Expires 2036-37

Notes: Operational capacity correct as of September 2018

Birmingham prison is temporarily being managed by the public sector but is under contract with G4S

Source: HMPPS, Prisons and their resettlement providers, October 2018

HMPPS, Prison populations figures: 2018 (monthly September 2018)

Ministry of Justice, Contracted-out prisons, updated 4 September 2017

HM Treasury, Private Finance Initiative and Private Finance 2 projects: 2016 summary data, Dec 2016 - covers all current projects as at 31 March 2016

ContractsFinder, Contract for the Provision of a custodial service at HMP Birmingham

ContractsFinder, Contract for the provision of a custodial service at HMP&YOI Doncaster

ContractsFinder, The provision of a custodial service at HMP Northumberland

ContractsFinder, Contract for the provision of a custodial service at HMP Featherstone II

²³ GOV.UK, [Transparency data: Prisons and their resettlement providers- May 2018](#), [last accessed 12/12/2018]

Most privately managed prisons in England and Wales hold adult male offenders.²⁴ Only [Bronzefield](#) and [Peterborough](#) (female unit), which are both managed by Sodexo, are prisons for female offenders.

Of the thirteen privately managed prisons serving male offenders six are local prisons and seven are trainer prisons (four Category C and three Category B).²⁵

The combined operational capacity of privately managed prisons in England and Wales is around **16,000**.²⁶

Characteristics

There are some differences between the characteristics of private and public prisons.

As highlighted in the table below, private sector prisons tend to be newly built and relatively large. There are no private prisons that operate predominately as 'High Security', 'Open' or 'Young Offenders Institutions'. This contrasts with public sector prisons which are a mix of prisons of different size, age and predominate function.

Percentage of the prison population in private and public institutions by different characteristics (end of June 2018)			
		Private sector	Public sector
Predominate function	Local	43%	30%
	Trainer	52%	47%
	High Security	0%	8%
	Open	0%	7%
	Female	5%	4%
	Young Offenders Institute	0%	3%
Size	Above average	88%	43%
	Below average	12%	57%
Age	Victorian	6%	37%
	Mid 20th Century	0%	31%
	Turn of the 21st Century (or later)	94%	32%

Source: House of Commons Library analysis of Ministry of Justice, Offender management statistics quarterly: April to June 2018

HMPPS, Prisons and their resettlement providers, September 2018

Leech, M. The Prisons Handbook 2017, 2017

Notes: The average sized prison across the whole estate houses around 700 offenders. This has been calculated using the mean average.

Current Government policy

The Government has said that it does not want to be "overly ideological" about the composition of the prison estate and that it

²⁴ GOV.UK, [Prisons and their resettlement providers- September 2018](#), [last accessed 15/11/2018]

²⁵ Ibid

²⁶ HMPPS, [Prison population figures: 2018](#), Population bulletin: monthly September 2018

believes in “a mixed estate”. The Prisons Minister, Rory Stewart, said that it

...is not a question of a binary choice between the private and the public sectors; it is a question of a diversity of suppliers, who can often learn a great deal from each other.²⁷

The Government has confirmed that it is seeking private sector operators to manage the new prisons being built at Glen Parva and Wellingborough (see [section 3.2](#) for details):

As the Chancellor set out in the budget on 30 October, we intend to build the first two prisons through public capital at Wellingborough, which is due to open in 2021 and Glen Parva, which we expect to open in 2022. We are planning to launch a competition later this year to establish a framework from which the operators of the new prisons will be chosen.

HM Prison and Probation Service will not take part in the prison competition. We will provide a ‘public sector benchmark’ against which operators’ bids can be assessed and will take on the provider role if bids do not meet quality or value for money thresholds.²⁸

On the 29 November 2018, Rory Stewart announced the launch of a new ‘Prison Operator Services Framework’ by which private sector providers could be chosen for the new prisons and for current private sector prisons contracts when they expire. Rory Stewart said:

The competition launched today will seek to build on the innovation and different ways of working that the private sector has previously introduced to the system. The sector has an important role to play, and currently runs some high-performing prisons, as part of a decent and secure prison estate.²⁹

Comment

The Labour Party has opposed the use of private sector providers in the prison system and has stated that there would be “no new private prisons and no public-sector prisons will be privatised” if they were in Government.³⁰

Similarly, the POA (the trade union for prison correctional and secure psychiatric workers) have opposed the privatisation of prisons. They supported a TUC call for an independent inquiry into private sector involvement in the estate.³¹

Julian Le Vay (a former Finance Director of the Prison Service) has said that “the government appears to have lost interest in market competition”. He argues that this is a “shame” because tension between the public and private sector has led to “higher standards across the board”.³²

²⁷ HC Deb, [Privately Financed Prisons, 27 June 2018](#), Column 904

²⁸ [PQ186403, Prisons: Construction](#), answered 05 November 2018

²⁹ [HCWS1123, Prisons Update: Written statement](#), 29 November 2018

³⁰ The Labour Party, [For the many, not the few: 2017 Manifesto](#), p82

³¹ POA, [Unions call for safer prisons and an end to prison privatisation at TUC 150th Congress](#), 10 September 2018 [last accessed 12/12/18]

³² Financial Times, [Momentum stalls on UK's private prisons](#), February 2018

2. Living conditions

Living conditions across much of the prison estate are poor. As of October 2018, 58% (68) of prison establishments were overcrowded.³³ Many prison buildings are old and poorly designed. There are unresolved maintenance issues across much of the estate. Some prison accommodation has been found to be dirty and squalid.

Age of the prison estate

There have been three major periods of prison construction during which the vast majority of the current prison estate was built: the Victorian era, the mid-20th century and the turn of the 21st century. Around a third of the prison estate was built during the Victorian era. Victorian prisons tend to be 'purpose built'. Many Victorian prisons are located in town centres and many now function as 'local prisons'.

A little under a third of the prison estate dates from the mid-20th century (1940s-1970s). Whilst many of these buildings are 'purpose built', some have been repurposed, often from military bases or internment camps used during (or after) World War Two.

Around a quarter of the prison estate dates from the late 20th and early 21st century. These buildings tend to be 'purpose built'.

2.1 Chief Inspectorate of Prisons assessment of living conditions

Her Majesty's Chief Inspector of Prisons, Peter Clarke, described the state of living conditions in prisons across England and Wales in his 2017/18 annual report:

The year 2017–18 was a dramatic period in which HM Inspectorate of Prisons documented some of the most disturbing prison conditions we have ever seen – conditions which have no place in an advanced nation in the 21st century.³⁴

In October 2017, the Inspectorate published a ['thematic report' on living conditions](#) across the prison estate. The Inspectorate highlighted four main areas of concern:

- Too many prisoners live in cells that are far too small for multi-occupancy.
- Too many prisoners live in squalid cell conditions with inadequate ventilation, damaged furniture and unscreened toilets.
- In-cell toilets are unhygienic and when in shared cells lead to a loss of dignity and respect for prisoners who use them.
- Prisoners spend far too long locked in their cells with limited access to association or purposeful activity.³⁵

The Library's paper [UK Prison Population Statistics](#) details further statistics on prison overcrowding.

³³ MoJ, [Population bulletin: monthly May 2018](#). Excludes Blantyre House and The Verne, which are listed but closed and excludes HMPPS Operated Immigration Removal Centres (IRCs).

³⁴ HMIP, Annual Report 2017-18, HC1245, p7

³⁵ HMIP, [Life in prison: Living conditions](#), October 2017, p28

In this report, the Inspectorate made five recommendations relating to these areas of concern:

1. HMPPS should review all current cells to assess those which do not meet the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment's (CPT) minimum standards and provide a plan for reducing the number of prisoners in crowded cells.
2. Cells being built as part of the future prisons programme should meet the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment's (CPT) minimum standards for living space per prisoner.
3. All cells should be in good physical condition and contain appropriate facilities and equipment for day-to-day life.
4. In-cell toilets should have lids and a floor-to-ceiling partition with a closable door to protect the privacy of prisoners sharing cells and also to reduce the transmission of bacteria within cells.
5. Prisoners should spend at least 10 hours out of their cells and have access to a wide range of stimulating in-cell activities.

Peter Clarke told the House of Commons Justice Committee that HMPPS has rejected four of his five recommendations relating to living conditions:

The Prison Service rejected four of [the] five recommendations and partly agreed the fifth, which I found disappointing, to say the least, particularly as the rationale for rejecting the vast majority of the recommendations was that, even if the cells were not fully compliant with the European Committee for the prevention of torture standards, that could be mitigated by the significant amount of time out of cell that prisoners were enjoying. Of course, we all know that prisoners are not enjoying a significant amount of time out of cell at the moment.³⁶

2.2 Measuring accommodation standards

There are international human rights standards for accommodation in prison. The [UN Standard Minimum Rules for the Treatment of Prisoners](#) and the [European Prison Rules](#) both include expectations that prisoners' accommodation should be clean, well ventilated, that prisons should have enough space and that they should have access to private WC facilities. Both sets of standards expect single occupancy cells to be the norm.

The European Committee for the Prevention of Torture and Inhuman Degrading Treatment or Punishment (CPT) has published minimum standards for living space per prisoner:

- 6m² of living space for a single-occupancy cell plus sanitary facility
- 4m² of living space per prisoner in a multiple-occupancy cell plus fully-partitioned sanitary facility

³⁶ HMIP, [Life in prison: Living conditions](#), October 2017, p28

- at least 2m between the walls of the cell at least 2.5m between the floor and the ceiling of the cell³⁷

Prison Service Instruction on Certified Prisoner Accommodation

Prison Service Instructions are non-statutory guidance to those who run prisons in England and Wales.³⁸ [Prison Service Instruction 17/2012 'Certified Prisoner Accommodation'](#) advises on the minimum standards for the certification of prisoner accommodation in England and Wales. It states that each prisoner should have a:

- A single bed (the establishment may choose between single beds and bunk beds for shared cells).
- Storage for personal possessions.
- A chair and table area (for dining and for personal pursuits).
- Circulation and movement

In uncrowded conditions there is an expectation that prisoners should be able to use the WC in private. In crowded conditions the expectation is that prisoners should be able to use the WC with 'some privacy'.³⁹

HMPPS audits

Phil Copple (Executive Director for prisons for HMPPS) has said that there are "chronic problems with living conditions in considerable parts of the estate".⁴⁰

HMPPS are conducting a 'clean and decent project' to define its own minimum standards for living conditions in prisons and assess the estate against them. This project involves two audits of the prison estate; one of the fabric of the buildings and one of 'essential assets'.

In evidence to the Justice Committee, Mr Copple said that an assessment for every single prison against HMPPS' standards would not be available for some time.⁴¹

2.3 Maintenance of prisons

The maintenance of public sector prisons was fully contracted out to private sector companies in 2015. There have been concerns that the performance of these companies has been poor.

³⁷ Council of Europe, [Living space per prisoner in prison establishments: CPT standards](#), December 2015

³⁸ Livingstone, Owen and Macdonald on Prison Law: Fifth edition, Oxford, paragraph 1.55, p27

³⁹ Prison rule 17/2012 'Certified Prisoner Accommodation', see also HMIP, [Life in prison: Living conditions](#), October 2017, p5

⁴⁰ HC 483 2017-2019, Justice Committee, [Oral evidence: Prison population 2022: planning for the future](#), 13 November 2018, Q433

⁴¹ Ibid, Q444

History of private sector involvement in prison maintenance

Prior to 2012, prison maintenance of public sector prisons was managed by HMPPS (then NOMS). Private sector prisons have always managed their own maintenance contracts.

In 2012, Mitie was awarded the contract for prison facility management of HMP Brixton. Mitie has since been awarded the maintenance contract for Isis prison.⁴²

In June 2015, the facility management of the rest of the public-sector prison estate was contracted out. Amey won the contracts for the North of England, the Midlands and Wales; Carillion won the contracts for London and the South of England.⁴³

Following the [liquidation of Carillion in January 2018](#) the Government set up 'Gov Facility Services Ltd', a government owned company, to manage the contracts in London and the South of England.⁴⁴ This, in effect, brought the maintenance of these prisons back into the public sector.

Performance of maintenance contracts.

There have been concerns raised at the number of outstanding maintenance issues under the current contracts.

As at 1 June 2018, there were 39,600 'reactive' maintenance issues and 39,400 'planned' maintenance issues outstanding across the public sector estate. 'Gov Facility Services', which has inherited Carillion contracts, accounted for 67% of these outstanding maintenance issues.⁴⁵

Andrea Albutt, the President of the Prison Governors Association, has said that maintenance contracts have "failed in their entirety, leaving accommodation and maintenance in a far worse state than when governors owned their own works departments".⁴⁶

HMPPS has recognised concerns regarding the quality of service being provided by facility management companies. In its annual report for 2017/18 it stated that it had "put in place work to systematically tackle concerns about facilities management" including "strengthening contract management".⁴⁷

⁴² [PQ 3715, Prisons: Repairs and Maintenance](#), Answered 10 July 2017

⁴³ Ibid

⁴⁴ Ministry of Justice, [Press release: Ministry of Justice launches new facilities management company](#), 26 January 2018

⁴⁵ [DEP2018-0661](#), Ministry of Justice, Table showing the number of outstanding reactive and planned maintenance tasks, as of 1 June 2018, at each prison in England and Wales, 3 July 2018. Note: This information is subject to the inaccuracies inherent in any large-scale recording system. In particular, these figures are likely to over-estimate the number of open maintenance tasks as a result of delays in closing tasks down on the system after work is complete or an action is superseded by a subsequent task.

⁴⁶ The Guardian, [Interview Andrea Albutt: 'Carillion has left our prisons in a terrible state'](#), January 2018

⁴⁷ HMPPS, [Her Majesty's Prison and Probation Service Annual Report and Accounts 2017-18](#), HC 1117, p70

Costs

HMPPS were expected to spend £121.8m on prison maintenance in 2017/18.⁴⁸

The Government has stated that prison service maintenance contracts have not delivered the savings they had anticipated owing to an underestimation of historical costs.⁴⁹

⁴⁸ [PQ 123636, Prisons: Repairs and Maintenance](#), Answered 1 March 2018

⁴⁹ [PQ 123269, Prisons: Repairs and Maintenance](#), Answered 17 January 2018

3. Prison Estate Transformation Programme (PETP)

3.1 Background to the PETP

The Conservative Government of 2015-2017 identified a need to transform the prison estate in their 2016 White Paper [Prison Safety and Reform](#):

The physical environment that many staff and prisoners face on a daily basis is not fostering the kind of culture or regime needed for prisoners to turn their lives around. For prisons to be places of safety and reform, there needs to be a fundamental shift in the way that the prison estate is organised and operates and a significant improvement in the overall quality of the buildings across the prison estate.⁵⁰

3.2 Approach of the PETP

The Government's approach to prison estate transformation is threefold:⁵¹

- Building new prisons to meet the Government's pledge to create 10,000 new prison places to replace old unsuitable accommodation.
- Renovating the existing estate.
- Reorganising the estate to better meet the needs of the prison population.

10,000 prison places

In its 2016 White Paper, the then Government committed £1.3 billion to create 10,000 new prison places, to replace old accommodation.⁵² The Conservative Party then committed to this policy in their 2017 General Election Manifesto.⁵³

In March 2017, the Government announced a mix of building projects to meet this pledge. Brand new prisons were announced as well as projects to rebuild or expand existing prison buildings. The programme was to involve seven prisons:

- New prisons are to be built in **Yorkshire** (which will be adjacent to the existing [Full Sutton](#) prison) and **Port Talbot**, South Wales.⁵⁴
- The existing prisons at **Rochester, Hindley, Wellingborough** and **Glen Parva** will be redeveloped (in some cases completely rebuilt).⁵⁵

⁵⁰ Ministry of Justice, [Prison Safety and Reform](#), Cm 9350, November 2016, Chapter 7: Building the right estate for reform.

⁵¹ Ministry of Justice, [Prison Safety and Reform](#), Cm 9350, November 2016

⁵² Ibid, box p58

⁵³ The Conservative Party, [Forward Together: Our Plan for a Stronger Britain and a Prosperous Future](#), p45

⁵⁴ HCWS550, [Prison update: Written statement](#), 22 March 2017

⁵⁵ Ibid

- A new house block is being built at **Stocken**.⁵⁶ Construction has begun on the house block. The Government has stated that it is expected to begin taking prisoners in December 2018.⁵⁷

The Government had previously committed to building five new 'Community Prisons' for women.⁵⁸ However, in its [Female Offender Strategy](#) (June 2018) the Government confirmed its policy had changed, stating:

We want to reduce the female prison population, with fewer offenders sent to custody for short periods. We will therefore shift our emphasis from custody to the community, and as part of this we will not be building the five new Community Prisons for Women. Instead, we want to ensure that the public and judiciary have confidence in non-custodial sentences - such as effective community orders - which directly tackle the causes of reoffending, including alcohol or drug abuse. We will be looking at what more we can do to emphasise that short custodial sentences should be viewed as a last resort.⁵⁹

Wellingborough and Glen Parva

On the 26 and 27 of June 2018, Prisons Minister Rory Stewart confirmed that reconstruction of Wellingborough would be publicly financed whilst the Glen Parva project would be financed by a private finance initiative.⁶⁰ However, following the announcement in the 2018 Budget that the Treasury will no longer undertake new PFI contracts, the Government stated that it would fund the construction of Glen Parva.⁶¹

Though the prisons will be built with public capital they will be contracted to private sector operators (see [Section 2.3](#)).

Representatives from HMPPS have said that they anticipate the opening of Wellingborough (scheduled for early 2021) to absorb a projected rise in prison population.⁶²

Rochester and Hindley

In its 2017/18 annual report HMPPS confirmed that the closure of Rochester and Hindley prisons had been put on hold. HMPPS said that a significant rise in the prison population had prevented them from closing the prisons.⁶³

⁵⁶ Ibid

⁵⁷ [HC Parliamentary Question 163006](#), 20 July 2018

⁵⁸ Ministry of Justice, [Prison Safety and Reform](#), Cm 9350, November 2016, para 255

⁵⁹ Ministry of Justice, [Female Offender Strategy](#), Cm 9642, June 2018, para 12

⁶⁰ HC Deb, [Privately Financed Prisons, 27 June 2018](#), Column 904

⁶¹ HM Treasury, [Budget 2018 HC1629](#), paragraph 5.28, p76

⁶² HC 483 2017-2019, Justice Committee, [Oral evidence: Prison population 2022: planning for the future](#), 13 November 2018, Q457

⁶³ HMPPS, [Her Majesty's Prison and Probation Service Annual Report and Accounts 2017-18](#), HC 1117, p11

Timeline of recent prison closures and openings

- Holloway female prison was closed in June 2016.
- Kennet was closed in December 2016.
- [Berwyn](#) was opened in February 2017. Planning permission for Berwyn was granted in 2014 and this prison is separate from the Government's commitment to create 10,000 new prison places.
- Glen Parva was closed in June 2017.

Investment in the prison estate

The Government has committed £40 million of funding to improve the prison estate:

- £7 million to be invested in new security measures. This includes installing airport style security scanners, phone-blocking technology and digital tools to allow prisons to better understand their offender risk.
- £16 million for renovations and repairs to the estate. The Ministry of Justice has said that this money will be targeted to "establishments with the most pressing maintenance issues".
- £7 million for in-cell telephones for more prisons. The Ministry of Justice has identified that public telephones on wings can be a trigger for violence and fuel demand for illicit mobile phones.
- £10 million to fund the '[10 Prisons Project](#)'. This project will target extra resource for ten of the most challenging prisons.⁶⁴

A further £30 million was committed in the Autumn 2018 budget to "improve security and decency across the prison estate".⁶⁵

Simplifying and reorganising the estate

In the 2016 White Paper, the Government identified two problems with the way the prison estate is organised:

- that there is a mismatch between the types of places available and the composition of the offender population; and
- that the current system is too inflexible.⁶⁶

To simplify the estate, HMPPS has developed three new 'operating models' for prisons: 'reception', 'training' and 'resettlement'. HMPPS has said that the necessary changes to adopt the models will be complete by 2021.⁶⁷

3.3 Response from interest groups

Prison reform groups have been critical of the Government's programme for prison estate transformation.

⁶⁴ Ministry of Justice, [Press release: Minister announces '10 Prisons Project' to develop new model of excellence](#), 17 August 2018, see also Ministry of Justice, [Justice Secretary launches fresh crackdown on crime in prison – speech](#), 10 July 2018

⁶⁵ HM Treasury, [Budget 2018](#), para 5.26, p76

⁶⁶ Ministry of Justice, [Prison Safety and Reform](#), Cm9350, November 2016, para 244 to 253

⁶⁷ HMPPS, [Her Majesty's Prison and Probation Service Annual Report and Accounts 2017-18](#), HC1175, p22

The Howard League for Penal Reform has criticised the Government for focusing too heavily on expanding the operational capacity of the prison estate rather than reducing the size of the prison population. In their evidence to the House of Commons Justice Committee inquiry [Prison Population 2022: planning for the future](#), the League said that there has been a

...failure of a plan which erroneously assumed that capital investment in expanding the prison estate could be a means of managing an ever-growing prison population. However, the answer to this rapidly worsening crisis is not to build more prisons, it is to reduce the prison population.⁶⁸

The Prison Reform Trust have argued that the Government's current plans are underfunded "to the tune of £162m in 2018/19, rising to £463m in 2022/23." They also state that under current population projections "there is no prospect of any impact on overcrowding before 2022." They suggest an alternative approach which is focused on sentencing reform.⁶⁹

Andrea Albutt, the President of the Prison Governors Association, has said that there "needs to be massive capital investment in our buildings infrastructure to make them fit for purpose in the 21st Century." She has said that the "strategy HMPPS is currently embarking on is the right one and the green shoots of recovery, however small, are showing".⁷⁰

3.4 Design of new prisons

Recently built prisons have tended to have relatively large operational capacities.

The Government had said that recently opened Berwyn prison provided the prison building project with a "template on which to build the new category C prison design".⁷¹

However, HMPPS has since said that

...the design of the new prisons ... are very different. They are built on much smaller units. The actual spurs themselves are only 20 men. The actual block is 60, and then you get a total house block of 240 compared with Berwyn's 700-odd. That is a significant difference. Although they are quite big prisons, and their total population will be 1,680, we are trying to make them smaller. You can reconfigure the prison, if you are the governor or the operator, in a very different way, to create enabling environments and to think about it. We have thought a lot about how to create a proper, enabling environment.⁷²

Architects from 'Matter Architecture' have published a guide to 'wellbeing in prison design'. 'Matter Architecture' have engaged with

Recently opened prisons

Isis opened July 2010, operational capacity (as at Oct 2018) **618**

Thameside opened March 2012, operational capacity **1,216**

Oakwood opened April 2012, operational capacity **2,074**

Berwyn opened February 2017, operational capacity **1,172**

⁶⁸ Howard League for Penal Reform, [Response to the Justice Committee inquiry on the prison population in 2022](#), December 2017

⁶⁹ Prison Reform Trust, [Prison Reform Trust response to the Justice Committee Inquiry into the prison population 2022: planning for the future](#), December 2017

⁷⁰ Prison Governors Association, [Prison Governors' Association Annual Conference – President's opening address – the leadership of our prisons](#), 9 October 2018

⁷¹ [HC Written Questions 165654](#), July 2018

⁷² HC 483 2017-2019, Justice Committee, [Oral evidence: Prison population 2022: planning for the future](#), 13 November 2018, Q461

the Ministry of Justice's Prison Estate Transformation Programme and were consulted during the construction of Berwyn. Their guide aims to help design new prisons which take a holistic approach to help with desistance, rehabilitation and resettlement.⁷³

Yvonne Jewkes, Professor in Criminology at the University of Bath has criticised recently built prisons for how closely they emulate Victorian prisons of the past:

...it appears that we are destined to keep building prisons that look very much like their forebears — only bigger. A case in point is the newly opened HMP Berwyn in North Wales, built in a similar style to, and with the same capacity (2,106) as, HMP Oakwood in the English midlands (opened in 2012); itself a faithful reproduction of many prison establishments that came before it. In fact, one of the astonishing features of new prisons is how similar they look and feel to their Victorian predecessors. The paint might be brighter, the ceilings higher and the sanitation more hygienic, but wings and cells remain the preferred living arrangement (and are not materially altered by the new preferred terminology of 'corridors' and 'rooms'), the windows (where there are windows) are still needlessly barred, the workshops remain stuck in a time when there was a plethora of manufacturing jobs awaiting people when they finished their sentences, and there are few, if any, spaces for quiet reflection, aesthetic/sensory pleasure or even just tuning out of the institutional culture.⁷⁴

⁷³ Matter Architecture, [Wellbeing in prison design: A guide](#), December 2017

⁷⁴ Prison Service Journal, [Prison Planning and Design: Learning from the Past and Looking to the Future](#), May 2017, No 231

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