



BRIEFING PAPER

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Prison Safety in England and Wales

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Summary

A decline in safety

There has been a decline in prison safety since 2012. Assaults and incidents of self-harm are at record highs and the number of self-inflicted deaths has risen. Chief Inspectors of Prisons, the Prison and Probation Ombudsman, Independent Monitoring Boards and the Justice Committee have all repeatedly expressed concern.

The urgent notification process was introduced at the end of 2017. It allows the Chief Inspector to bring urgent concerns to the attention of the Secretary of State who is then required to respond with an action plan. It has been used five times for adult prisons.

In the year ending September 2019, there were close to 61,000 recorded incidents of **self-harm** in prisons, which was equivalent to 732 per 1,000 prisoners.¹ This number was over a fifth higher than in the previous year and more than double the number ten years previously.

There were 90 apparent **suicides** in prisons in the year ending September 2019, although 58 deaths had not been classified. The most suicides in one year, once all deaths had been classified, was 124 in the year ending December 2016.²

In the year ending June 2019, there were 34,000 recorded **assaults** in prisons, the highest ever recorded, which was equivalent to 412 per 1,000 prisoners.³ This was more than double the number recorded ten years prior, although the rise has entirely been since 2012.

In the year ending March 2019, there were 2,200 recorded incidents of **protesting behaviour** in prisons, which includes forming barricades, taking hostages, and concerted indiscipline.⁴ This was nearly four times the equivalent number ten years previously.

Reasons for the decline and measures taken to improve safety

Various factors have been identified as contributing to the decline in safety.

The Ministry of Justice acknowledged in its 2016 white paper, Prison Safety and Reform, that there was a link between violence and the number of staff and committed to recruiting more staff. Staff numbers have risen since 2016 but have not returned to pre-2010 levels.⁵ There are now concerns about the experience of staff and about retention. The Ministry of Justice has piloted issuing staff with PAVA incapacitant spray as a measure to reduce violence and is rolling out its use.

Drugs misuse and psychoactive substances have been identified factors in the decline in safety. Drug debt leads to bullying and violence. Prisoners taking psychoactive substances can be violent. The Prison Drugs Strategy published in April 2019 set out measures to restrict supply and the Ministry of Justice is funding measures such as x-ray scanners to deal with security in prison. Prisons involved in the Ten Prisons Project which focussed on reducing violence including through increasing security against drugs saw a reduction in the percentage of positive results from random mandatory drug tests.

¹ Ministry of Justice, [Safety in custody: quarterly update to June 2019](#), summary table 3.

² Ibid, summary table 2.

³ Ibid, summary table 4.

⁴ HMPSS, [HMPPS Annual Digest 2018 to 2019](#), table 8.1.

⁵ Ibid., Chapter 14.

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The Justice Committee has considered how limitations to prison regimes and poor day-to-day living conditions, including crowding, can both negatively impact on safety. The Chair of the Independent Monitoring Boards emphasised the link between safety and purposeful activity and this link was recognised by the Justice Secretary. The Committee repeated its call for a dual focus on improving safety and rehabilitative initiatives saying prisons would not become less violent without proper investment in purposeful activity for prisoners. In August 2019 the Government announced up to £2.5 billion of funding to create 10,000 additional prison places.

The Chief Inspector and the Prisons and Probation Ombudsman have been critical of the quality of support for prisoners in crisis, delivered through Assessment, Care in Custody and Teamwork (ACCT) case management. The Ministry of Justice is developing a new version of the ACCT case management process and has rolled out a revised and improved suicide and self-harm prevention course for staff.

Failure to learn lessons and implement recommendations

HM Inspectorate of Prisons, the Prison and Probation Ombudsman, Independent Monitoring Boards, and the Independent Advisory Panel on Deaths in Custody have all expressed serious concerns at the seeming inability of prisons to take action as a result of their reports, in terms of learning lessons, implementing changes, and sustaining resulting improvements.

Government strategy

HM Prisons and Probation Service has a national strategy for safety. The Justice Committee has called for an overarching and integrated prisons strategy.

1. The decline in prison safety

From 2012 there has been a decline in prison safety. In March 2015 the Justice Committee noted that all available indicators were pointing to a rapid deterioration in standards of safety in the preceding year or so.⁶ In May 2016 the Committee described an “ongoing and rapid deterioration”.⁷ In October 2019 it said the prison system is enduring a crisis of safety and decency.⁸

Chief Inspectors of Prisons have repeatedly flagged up safety concerns in their annual reports, particularly about adult male prisons.⁹

HM Chief Inspector of Prisons Annual Reports - comments on safety

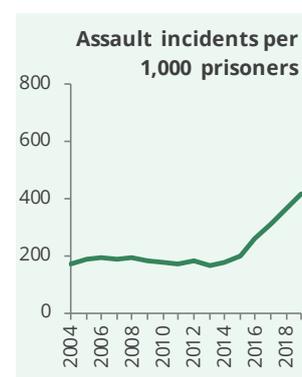
- [Annual Report 2014-15](#): safety outcomes for adult male prisoners were not good enough in more than half of prisons assessed.
- [Annual Report 2015-16](#): concluded male prisons were “still not safe”.
- [Annual Report 2016-17](#) expressed growing concerns regarding safety in adult male prisons noting that violence continued to escalate at an unacceptable rate, and significantly more prisoners than before told inspectors that they felt unsafe.¹⁰
- [Annual Report 2018-19](#): concluded that safety is still a major problem in men’s prisons and said that too many prisoners were still being held in prisons that were unsafe.

The Ministry of Justice publishes statistics on assaults, self-harm and deaths in custody on a quarterly basis.¹¹ A long-term series by calendar year is available that includes data from 2004 to 2018.

Incidents of self-harm and assault have been rising since 2012 and are at a record high. In the year ending September 2019, there were close to 61,000 recorded incidents of self-harm in prisons, which was equivalent to 732 per 1,000 prisoners. In the year ending June 2019 (the latest) there were 34,000 recorded assaults in prisons, the highest ever recorded, which was equivalent to 412 per 1,000 prisoners.¹²

The annual figures show that:

- In 2018, there were 34,200 **assaults** in prisons, including 24,400 prisoner-on-prisoner assaults and 10,200 assaults on staff (some incidents involved assaults on both).
- This was equivalent to 411 assaults per 1,000 prisoners in 2018.
- The number of assaults per 1,000 prisoners in 2018 was 19% higher than in 2017 and 71% higher than in 2015.



⁶ Justice Committee, [Prisons: Planning and Policies](#), 18 March 2015, HC 309 2014-15, para 75

⁷ Justice Committee, [Prison Safety](#), 16 May 2016, HC625 2015-16, p3

⁸ Justice Committee, [Prison Governance](#), HC 191, 31 October 2019, p9

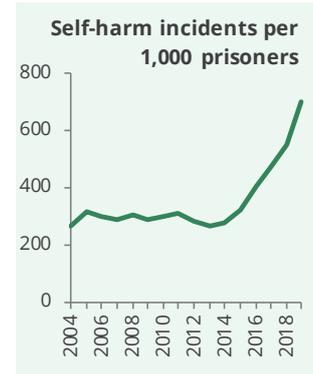
⁹ Safety is one of the four tests of a healthy establishment, against which prisons are assessed during inspections. HMIP, [Inspection framework](#), March 2019

¹⁰ HM Inspectorate of Prisons, [Annual Report 2016-17](#), 18 July 2016, HC 208, p20

¹¹ Ministry of Justice, [Safety in Custody quarterly: update to March 2019](#). For charts of the main safety indicators, see the data.gov.uk page on ‘[Safety and Order](#)’

¹² Ibid, summary table 4.

- In 2018, there were 55,600 incidents of **self-harm**, involving 12,600 individuals (a rate of 4.4 incidents per individual).
- This was equivalent to 667 incidents per 1,000 prisoners, which was 28% higher than in 2017 and 77% higher than in 2015.
- The rate of self-harm is much higher among female prisoners, with there being 2,675 incidents per 1,000 female prisoners in 2018, compared with 570 per 1,000 male prisoners.



There were also 92 apparent suicides in prisons in 2018, with 61 deaths still awaiting classification. It is not possible to compare this to suicides in previous years due to the unclassified deaths.

The Annex to this briefing contains the data for each year since 2004.

1.1 Incidents of disorder

High-profile incidents in recent years have added to concerns about safety across the prison estate. For example, a prisoner was stabbed to death in HMP Pentonville on 19 October 2016 and two further prisoners were injured in an incident which the Prison Governors Association reportedly called “no massive surprise”.¹³ Two prisoners escaped from the same prison on 7 November 2016.¹⁴ There were reports about a riot involving 230 prisoners in HMP Bedford on 6 November 2016.¹⁵ On 16 December 2016 there were reports of a riot lasting 12 hours and initially involving 260 prisoners at HMP Birmingham.¹⁶ An investigation into the incident said it lasted 14 hours during which time four wings were seriously damaged and 500 prisoners were unlawfully unlocked.¹⁷

In October 2017 there was a disturbance at HMP Long Lartin during which, it was reported, 81 prisoners forced staff to retreat from one wing. The Prison Governors Association said the incident should be “ringing alarm bells at the most senior level”.¹⁸ Then Prisons Minister, Sam Gyimah [answered an urgent question](#) on the disturbance, stating that it was an isolated and rare occurrence and that the number of prison officer staff on the wing was as normal. In the debate that followed, members raised more general concerns about safety in prisons relating to overcrowding, staffing levels, and the volatility of the prison population.

About 20 prisoners were reported to be involved in another disturbance at HMP Long Lartin in September 2019.¹⁹ The POA (the trade union for

¹³ [“Pentonville stabbing: death prompts call for inquiry into state of jails in England and Wales”](#), Guardian, 19 October 2016

¹⁴ [“Two Pentonville prisoners hid escape with ‘pillow bodies’”](#), BBC News, 7 November 2016

¹⁵ [“HMP Bedford riot: Dozens of inmates removed”](#), BBC News, 7 November 2016

¹⁶ [“Riot officers enter HMP Birmingham amid disturbances”](#), BBC News, 16 December 2016

¹⁷ [HMP Birmingham Investigation: Report of an investigation into the serious disorder at HMP Birmingham on 16 December 2016](#), June 2017

¹⁸ [“Disorder at high-security Long Lartin fuels concern over jail system”](#), Guardian, 12 October 2017

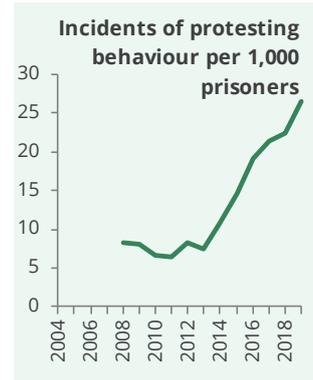
¹⁹ [Long Lartin prison: Disturbance ends after inmates take over wing](#), BBC, 25 September 2019

prison officers) commented that the disturbance “once again raised significant concerns about safety, order and control in our prisons”. The POA stated that it was particularly concerning because HMP Long Lartin is a high security prison.²⁰

There were reports of a riot involving 19 prisoners at HMP Winchester in August 2019 following which 150 prisoners were moved to other prisons.²¹

HMPPS releases annual statistics showing the number of recorded incidents of protesting behaviour. There were nearly 2,200 incidents involving barricades, hostage-taking, or concerted indiscipline or around 27 per 1,000 inmates. This was nearly four times the equivalent number ten years previously (just over 560).²²

Since 2013, HMPPS has also recorded ‘incidents at height’, which is “any incident taking place at height above or below ground level”, including “prisoners on the netting, climbing over bars or on the roof”.²³ In the year ending March 2019, there were nearly 5,600 such incidents which was more than 7 times the number recorded in 2012/13.²⁴



1.2 Urgent Notifications

On 30 November 2017 the Ministry of Justice announced a new urgent notification process which it described as part of a package aimed at improving the safety of people in prisons. The Chief Inspector of Prisons can issue an urgent notification to the Secretary of State if he has an urgent and significant concern about the performance of a prison. The Secretary of State is then required to publish his response and a plan of action within 28 days. The introduction of the new process was welcomed by Peter Clarke, HM Chief Inspector of Prisons.²⁵ Since the urgent notification process was introduced, the Chief Inspector has issued urgent notifications for five adult prisons.²⁶

²⁰ POA, press release, [HMP Long Lartin](#), 25 September 2019

²¹ [Winchester Prison riot: 150 inmates moved out](#), BBC, 24 August 2019

²² HMPPS, [HMPPS Annual Digest 2018 to 2019](#), chapter 8

²³ Gov.uk, [Incidents at height](#), accessed 14 November 2019.

²⁴ HMPPS, [HMPPS Annual Digest 2018 to 2019](#), chapter 8

²⁵ HM Inspectorate of Prisons, press release, [New 'Urgent Notification' process announced](#)

²⁶ An urgent notification was also issued for HMYOI Feltham A

Urgent Notifications

[Nottingham](#) (January 2018)

- The urgent notification was issued because, for a third time in a row, inspectors found the prison to be “fundamentally unsafe”.
- Levels of self-harm had risen very significantly since the last inspection and there had been repeated failures to respond to recommendations from the Prisons and Probation Ombudsman.

[Exeter](#) (May 2018)

- Since the last full inspection in August 2016, safety in the prison has significantly worsened in many respects and attracted the Inspectorate’s lowest possible grading of ‘poor’.
- Despite some creditable efforts to implement recommendations from the Prisons and Probation Ombudsman following six self-inflicted deaths, the overall level of safety at HMP Exeter was “unequivocally poor”.
- Self-harm was running at a higher rate than in any similar prisons. It has risen by 40% since the last inspection. Assaults against both prisoners and staff were among the highest inspectors had seen and the use of force by staff is inadequately governed.”

[Birmingham](#) (August 2018)

- “The first priority of any prison should be to keep those who are held or work there safe. In this regard, HMP Birmingham had completely failed.”
- Levels of violence had increased and, when measured over the last 12 months, were the highest for any local prison in the country. Many of the assaults were serious and the number was rising.
- 71% of prisoners told inspectors they had felt unsafe at some time in Birmingham, a figure described the Chief Inspector as “extraordinarily high”.
- Thirty-seven per cent felt unsafe at the time of the inspection and many reported being bullied and victimised by other prisoners. The Chief Inspector said that prison’s response to this was “wholly inadequate.”
- Case management of prisoners at risk of suicide and self-harm was poor, the response to previous Prisons and Probation Ombudsman recommendations had not been sustained and prisoners at risk of self-harm inspectors spoke to did not feel well cared for. The Chief Inspector said that the poor conditions in which they were held, the lack of anything purposeful to do and their inconsistent access to peer support added to their risks.

[Bedford](#) (September 2018)

- The rate of assaults had risen significantly since the last inspection, when measured over a 12-month period, and stood at a higher level than any other local prison, except HMP Birmingham.
- Assaults on staff had also risen dramatically and the rate was now the highest in the country. Many staff told inspectors that they often felt unsafe.
- More than two-thirds of prisoners told inspectors they had felt unsafe at some time, and over a third felt unsafe at the time of the inspection.
- The rate of self-harm incidents had increased substantially since the last inspection. There had been 163 incidents of self-harm over the previous six months; this rate was higher than in similar prisons.

[Bristol](#) (June 2019)

- Nearly two-thirds of prisoners said they had felt unsafe at some point during their stay at the prison, with over a third feeling unsafe at the time of the inspection itself.
- Recorded violence, much of it serious, had increased since the last inspection and was much higher than the average for local prisons”
- The rate of self-harm had increased since the last inspection and remained higher than most other local prisons.
- Significant recommendations made following Prisons and Probation Ombudsman investigations had not been implemented.
- An extraordinarily high number of prisoners – one in 10 – were identified as being at risk of suicide and self-harm

2. Reasons for the decline in safety

Various explanations have been offered for the decline in safety. These include factors such as:

- reductions in staffing, inexperienced staff and difficulties retaining staff;
- high levels of drug use and particularly new psychoactive substances (NPS) and associated debt and bullying;
- overcrowding, the size of the prison population and changes in the make-up of the prison population; and
- a lack of purposeful activity.

The Government's white paper, *Prison Safety and Reform*, published in November 2016, acknowledged the decline in prison safety since 2012.²⁷ It analysed possible reasons for the increase in assaults, self-harm and self-inflicted death and said:

- longer term shifts in the nature of the prison population were likely to have increased violence in the prisons estate
- the rise of the use of psychoactive substances in prisons had made dangerous prisoners more volatile and their reactions more difficult to manage
- dealing with the effects of psychoactive substances had made it more difficult for many prisons to run full and purposeful regimes to occupy prisoners and made it more difficult for staff to build constructive relationships with prisoners.²⁸

In his 2016/17 annual report the Chief Inspector of Prisons, Peter Clarke said that many of the reasons have been well documented:

The prevalence of drugs inside prisons, and the seeming inability to keep them out has clearly been a major factor. Debt, bullying, and self-segregation by prisoners looking to escape the violence generated by the drugs trade are commonplace. This has all been compounded by staffing levels in many jails that are simply too low to keep order and at the same time run a decent regime that allows prisoners to be let out of their cells to get to training and education, and have access to basic facilities.²⁹

The [Independent Monitoring Boards National Annual Report 2017/18](#) said that monitoring boards had attributed the increase in violence and self-harm in 2018 to a combination of the availability of drugs (and the associated debt and bullying), the inexperience or shortage of staff, and frustration due to inactivity.

The Justice Committee in 2019 heard evidence from organisations representing staff and from the prison service that prisoners are more likely to be violent than they were in the past.

²⁷ Ministry of Justice, [Prison Safety and Reform](#), Cm 9350, November 2016, p40

²⁸ Ministry of Justice, [Prison Safety and Reform](#), Cm 9350, November 2016, p40

²⁹ HM Inspectorate of Prisons, [Annual Report 2016-17](#), 18 July 2016, HC 208

3. Staffing

One factor discussed as affecting safety in prison is staffing: reductions in the levels of staffing, the recruitment of inexperienced staff and difficulties retaining staff.

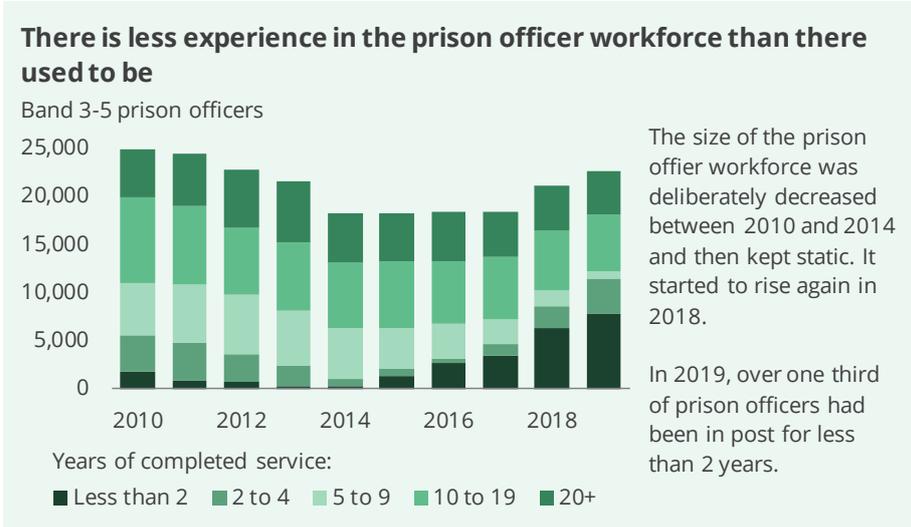
The number of prison officers fell by a quarter between 2010 and 2014, going from around 25,000 to 18,000. Between 2014 and 2017, the number stayed at around 18,000 before increasing again to nearly 23,000 in 2019 as the result of a recruitment drive.³⁰

At the end of June 2019, the latest count at the time of writing, there were 18,752 'frontline' prison officers (bands 3-4), in post.³¹

Looking only at frontline prison officers there were 8,600 instances of employees leaving between 2010 and 2017.³² Between 2017 and 2019, when active recruitment was underway, there were nearly 12,000 hires.

Some of these hires will have been the same people who left during the 2010-2016 period of downsizing. However, data on the prison officer workforce suggests that a rising proportion of new hires have little or no experience of working in the prison service.

The chart below shows the number of prison officers (including supervisors and managers, in post at the end of March in each year, by their years of service.



Source: HMPPS, [HM Prison and Probation Service workforce quarterly: June 2019](#), table 13 and [HM Prison and Probation Service workforce quarterly: September 2016](#), table 10

The result of the changes of the last decade is that, although the number of prison officers is almost back at its 2010 level, the collective level of experience within the workforce has decreased substantially. In 2010, 7% of prison officers had been in post for less than 2 years

³⁰ These figures refer to prison officers in bands 3-5 which includes prison officers (including specialists), supervising officers, and custodial managers.

³¹ HMPPS, [HM Prison and Probation Service workforce quarterly: June 2019](#), table 3

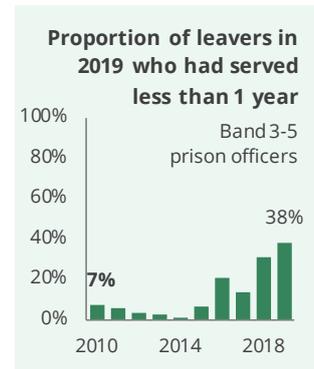
³² This is not necessarily a count of individuals since people could join and leave more than once.

compared with 35% in 2019. The proportion with 10 years' experience or more went from 56% of officers to 46% in the same period.

The workforce statistics also suggest a problem of new recruit retention. As the number of joiners has risen since 2017, the number of leavers has also risen. The result is that a larger-than-ever proportion of leavers have served less than one year. The proportion over time can be seen in the chart in the margin.

Looked at differently, the proportion of new recruits who leave after less than one year has also risen in recent years. The latest rough estimate is that one in five new prison officers (bands 3-5) leaves after less than one year.³³ It is worth noting that this proportion was similar between 2010 and 2014 but was lower in the years since, until 2019.

Around 38% of all public sector prison staff are female (as of March 2019). The proportion aged under 30 was 22% in 2019 compared with 14% in 2010, likely a reflection of the new prison officer recruitment drive.³⁴



3.1 Levels of staffing

In 2015 the Justice Committee concluded that it was unlikely that decreased safety was not linked to falling staff levels. They said:

...we conclude that the fall in staffing levels stemming from redundancies and increased turnover, which at their most acute have resulted in severely restricted regimes, are bound to have reduced the consistency of relationships between officers and prisoners, and in turn affected safety.³⁵

In his 2016/17 annual report the Chief Inspector of Prisons, commented on the levels of staffing in prisons, concluding that they were, in many prisons,

...simply too low to keep order and at the same time run a decent regime that allows prisoners to be let out of their cells to get to training and education, and have access to basic facilities.³⁶

The Government's 2016 white paper, Prison Safety and Reform, said that the Government's analysis showed "a statistical correlation between the numbers of staff and the level of violent incidents" and concluded that more frontline staff were needed.

In January 2017 the Government launched a campaign to recruit 2,500 prison officers by December 2018. It reached this target ahead of schedule. By the end of December 2018 there had been a net gain of 4,767 prison officers since November 2016.³⁷ As of June 2019, the numbers of prison officers had not reached 2010 levels.

³³ HMPPS, [HM Prison and Probation Service workforce quarterly: June 2019](#), tables 8 and 13.

³⁴ HMPPS, [HM Prison and Probation Service workforce quarterly: June 2019](#), table 5 and [HM Prison and Probation Service workforce quarterly: September 2016](#), table 5a

³⁵ Justice Committee, [Prisons: Planning and Policies](#), 18 March 2015, HC 309 2014-15, summary

³⁶ HM Inspectorate of Prisons, [Annual Report 2016-17](#), 18 July 2016, HC 208

³⁷ Justice Committee, [Prison Governance](#), para 86

Richard Burgon, as Shadow Justice Secretary identified cuts to staffing as the “main reason (...) prisons have become more dangerous than ever” and has said the Labour party would return staffing to 2010 levels.³⁸

Despite recent efforts to recruit prison officer recruitment concerns about staffing shortages have continued, focusing on high turnover and difficulties with retention.³⁹

HM Chief Inspector of Prisons said in his 2018-19 annual report with regard to category B and C men’s local and training prisons that:

Staff shortages had been so acute that risks to both prisoners and staff were often severe, and levels of all types of violence had soared.⁴⁰

The Ministry of Justice has sought to address challenges in retaining prison officers, including through a 1.7% pay rise, by adopting a targeted approach to areas with recruitment difficulties and by strengthening training and support for new recruits.⁴¹

3.2 Experienced staff

The [Independent Monitoring Boards National Annual Report 2017/18](#) said that monitoring boards had identified the inexperience or shortage of staff as one factor that contributed to the increase in violence and self-harm in 2018, along with the availability of drugs (and the associated debt and bullying) and frustration due to inactivity.

Professor Alison Lieblich, director of the Prisons Research Centre at the University of Cambridge, in evidence to the Justice Committee in 2017 discussed the impact of the reduction of experienced staff on prison culture and legitimacy. She said:

If you do not have enough experienced staff, prisoners run the prison; if you have too many long-serving staff who are no longer motivated, things start to deteriorate.⁴²

She continued:

There needs to be professional competence, a decent regime and meaningful activities. How that works, whether the staff get the role right and whether the prison works as a prison is fundamental. If it is not working as a prison, prisoners feel unsafe; they start to take things into their own hands, and they cannot concentrate on their future.⁴³

³⁸ [Government prison safety measures – Richard Burgon responds](#), 4 November 2019

³⁹ Justice Committee, [Prisons: Planning and Policies](#), 18 March 2015, HC 309 2014-15, para 124

⁴⁰ HM Inspectorate of Prisons, [Annual Report 2018-19](#), p8

⁴¹ Justice Committee, [Prison population 2022: Planning for the future](#), para 123

⁴² [Oral evidence: Prison reform \(Governor empowerment and prison performance\)](#), HC 548, 18 January 2017, Q216

⁴³ [Oral evidence: Prison reform \(Governor empowerment and prison performance\)](#), HC 548, 18 January 2017, Q221

Then Prisons Minister Rory Stewart giving evidence to the Justice Committee in June 2018 recognised that inexperienced staff destabilise prisons.⁴⁴

The Inspectorate's Annual Report 2018-19 commented that although officer staffing levels were improving, some prisons had a large proportion of new and very inexperienced staff who sometimes struggled to challenge poor prisoner behaviour.⁴⁵

3.3 Offender Management in Custody Model - Key workers

In David Gauke's first major speech on prisons as Justice Secretary, in March 2018, he said that increased staffing levels would allow the introduction of a new 'key worker' model which, it was hoped, would help reduce the high levels of violence.⁴⁶

The Offender Management in Custody (OMiC) model is designed to give more time for interaction between staff and prisoners, including through one-to-one support for approximately 45 minutes per week. Under the model each key worker will be responsible for supporting six prisoners, with some prisoners being given a more enhanced level of support.

HMIP's Annual Report 2018-19 welcomed the introduction of OMiC and keyworkers made possible by the recent increase in staff numbers but said it was too early to come to any judgements as to its overall effectiveness.⁴⁷

The introduction of the Offender Management in Custody programme (OMiC) has the potential to be a very positive innovation. It is too early to come to any judgements as to its overall effectiveness and, as yet, it is not fully implemented. However, where keyworkers have been introduced, I have received positive comments from prisoners who feel that they have an individual to whom they can turn, and from staff who welcome the opportunity to engage constructively with prisoners. The introduction of OMiC has been made possible by the recent increase in staff numbers, and is to be welcomed.

3.4 Assaults on staff

Assault on staff are at a record high. In the year ending June 2019, there were 10,424 recorded assaults on staff, including 995 serious assaults. Looking over time, there were 123 assaults on staff per 1,000 inmates in 2018, which was a rise of on quarter on the previous year and almost three and a half times the number that there had been in 2010 (34 per 1,000 inmates).

The number of frontline prison officers has risen in recent years, after falling between 2010 and 2014, so the increase in recorded assaults on

⁴⁴ Justice Committee, [Prison population 2022: Planning for the future](#), para 125

⁴⁵ HM Inspectorate of Prisons, [Annual Report 2018-19](#), p27

⁴⁶ Ministry of Justice, [Prisons reform speech](#), 8 March 2018

⁴⁷ HM Inspectorate of Prisons, [Annual Report 2018-19](#), p12

staff could be partly due to the increased presence of staff. A rough calculation shows that in 2018 there were around 53 assaults on staff for every 100 prison officers, whereas between 2010 and 2014 the equivalent figure was around 19.⁴⁸

In January 2019 then Prisons Minister Rory Stewart said that the Ministry of Justice recognised the importance of staff feeling safe within the prison environment. He said the ministry was “under no illusions about the challenges that staff face”. He gave two examples of measures being taken to reduce assaults on staff: extending the use of body-worn cameras and making PAVA spray available.

The Ministry of Justice [announced](#) in October 2018 that prison officers would be issued with incapacitant spray, PAVA. A press release stated that the national roll out, to prisons for adult males, followed a successful pilot at four prisons.⁴⁹

The roll out of PAVA has caused some controversy. The Prison Reform Trust (PRT) called for the roll out to be stopped. An evaluation conducted by the PRT found that, during piloting, PAVA had a limited effect on reducing violence. The PRT said use of PAVA:

...was likely to result in the same pattern of disproportionate and discriminatory use as current disciplinary and use of force measures.⁵⁰

The Ministry of Justice has said that staff felt better able to deal with violence and better equipped to arrest escalation and prevent harm with the spray.⁵¹

In June 2019 then Prisons Minister Robert Buckland said that the use of PAVA in the four pilot sites was being monitored and refresher training was being given to staff alongside refreshed guidance. Other adult male prisons would introduce PAVA only once they were operating the key worker model and has been assessed as ready.⁵²

In August 2019 the Equalities and Human Rights Commission said that, following a prisoner’s application for judicial review of the Justice Secretary’s decision to make PAVA spray available to prison officers in the adult male prison estate, the Ministry of Justice had made changes to the way it intends to roll out the spray:

This includes providing more robust guidance and training for prison officers using PAVA, monitoring the use of PAVA across the country, and involving prison race and equality liaison officers in reviews of the use of force in prisons.

⁴⁸ MoJ, Safety in custody, various editions, summary table 4; HMPPS, [HM Prison and Probation Service workforce quarterly: June 2019](#), table 3. Note: These estimates do not relate to the number of officers assaulted since an officer could be assaulted on more than one occasion. These estimates are rough because staff numbers are by financial year while assaults are counted by calendar year.

⁴⁹ Ministry of Justice, [Prison officer safety equipment rolled out](#), 9 October 2018

⁵⁰ Prison Reform Trust, [PAVA spray: a Prison Reform Trust position paper](#), December 2018

⁵¹ Justice Committee, [Prison population 2022: Planning for the future](#), para 124

⁵² Justice Committee, [Letter from Robert Buckland to Chair re HMP Lewes](#), 18 June 2019

Individual prisons will have to demonstrate that they understand the trends in the use of force at their establishment, and any areas where it is being used disproportionately, before they are permitted to use the spray. They will also have to amend their use of force forms to record race, disability and other protected characteristics and note any other individual vulnerabilities of prisoners who have force used on them.⁵³

⁵³ Equalities and Human Rights Commission, [Ministry of Justice to give prisoners greater protection during rollout of PAVA spray](#), 19 August 2019

4. Drugs and psychoactive substances

The Chief Inspector's Annual Report 2018-19 noted the 'clear link' between illicit drugs and violence.

HM Prison and Probation Service's [Prison Drugs Strategy](#), published in April 2019, says that reducing drug misuse is crucial to the safety of prisons:

Drug misuse is prevalent and contributes to violence, crime and vulnerability within prisons, which threatens safety and the ability of our hard-working prison staff to deliver effective regimes. We will not be able to improve safety, prevent reoffending and tackle serious and organised crime without reducing the misuse of drugs in prisons.

The [Independent Monitoring Boards National Annual Report 2017/18](#) described the impact of drugs on prisons:

Drugs in prison not only have a direct impact on health and on prisoners' erratic and sometimes violent behaviour; they also undermine safety and stability by producing an alternative power structure, based on debt, bullying and intimidation of prisoners, their families and sometimes prison staff.

The Government's 2016 white paper Prison Safety and Reform stated that NPS had played a big part in a recent rise in violence.⁵⁴ The Government passed legislation in 2016 to make it a criminal offence to possess psychoactive substances in prison.⁵⁵ A Home Office report in 2018 concluded this has not prevented the continued violence and health harms related to NPS use in prisons with serious incidents continuing to be reported across most adult male prisons in inspectorate reports.⁵⁶

Psychoactive substances are the most prevalent drug type in prison.⁵⁷

In the year ending March 2019, 10% of mandatory random drug tests tested positive for 'traditional' drugs and 16% tested positive for psychoactive substances.⁵⁸ The rate of positive tests for traditional drugs has been rising in recent years, from a record low of 6.9% in 2015. The rate of 10.6% in 2018 was the highest since 2005. Statistics on positive tests for psychoactive substances have only been published since 2017/18.

Seizures of drugs in prisons are at a record high, according to the statistics. In the year ending March 2019, there were 18,400 seizures of drugs in prisons. This number was 41% higher than the number seized in the previous year and more than four times the number seized in

⁵⁴ Ministry of Justice, [Prison Safety and Reform](#), Cm 9350, November 2016, p41

⁵⁵ [Section 9 Psychoactive Substances Act 2016](#)

⁵⁶ Home Office, [Review of the Psychoactive Substances Act 2016](#), November 2018

⁵⁷ [PO 267271](#), 28 June 2019

⁵⁸ Ministry of Justice, [HMPPS Annual Digest 2018 to 2019](#), Chapters 7 and 9. Traditional drugs are Amphetamines, Barbiturates, Benzodiazepines, Buprenorphine, Cannabis, Cocaine, Methadone, Opiates.

2010. Some of the change over the long-term might be explained by changes in recording practices. The number of seizures could also change depending on the number of searches carried out but we lack data on this.

The Chief Inspector's Annual Report 2018-19 expressed disappointment that too few prisons had developed a comprehensive or effective drug strategy.⁵⁹

4.1 Ten prisons project

In August 2018 then Prisons Minister Rory Stewart announced the "ten prisons project" which would pilot a new approach, for one year, in ten challenging prisons.⁶⁰ The focus was to be on reducing violence including through increasing security against drugs. The project included funding of £10 million funding, some of which was spent on x-ray body scanners to detect drugs and other banned items.⁶¹ Data published at the end of the project showed a statistically significant drop in the percentage of positive tests.⁶²

4.2 Prison Drugs Strategy

The national [Prison Drugs Strategy](#), published in April 2019 set out measures to restrict supply, reduce demand and build recovery.

The strategy notes that there is no simple answer to the problem of drugs in prison:

This is a complex, multi-faceted problem with no simple answer – it requires a coordinated effort to limit the supply of drugs both inside and outside prisons, encourage people away from drug misuse towards positive and productive activities, and support those requiring treatment.

To restrict supply the strategy says authorities will:

Minimise the supply of drugs into prisons through guidance, processes and technology.

Find drugs that do enter prisons using searching, intelligence and drug testing.

Disrupt the trade of drugs within prisons, working with law enforcement, sharing information and tackling corruption.

4.3 Improvements to security to restrict supply

In July 2018 then Justice Secretary David Gauke said in a speech that illicit substances are fuelling a cycle of violence and self-harm. He announced £6 million would be spent to enhance security in prisons, on

⁵⁹ HMIP, [HM Chief Inspector of Prisons for England and Wales Annual Report 2018–19](#), 9 July 2019, HC 2469, p11

⁶⁰ Ministry of Justice, [Minister announces '10 Prisons Project' to develop new model of excellence](#), 17 August 2018

⁶¹ Ministry of Justice, [10 prisons project gathers pace](#), 4 January 2019

⁶² Ministry of Justice, [Results from the 10 Prisons Project](#), 22 August 2019

scanners, improved searching techniques and phone blocking technology.⁶³ In November 2018 he announced that specialist search teams would be used to disrupt criminal activity, particularly related to drugs, within prisons. This was announced as part of a “£70 million plan to combat gangs and organised crime in prison”.⁶⁴

In a speech given in November 2018 Mr Gauke spoke about high levels of violence connected with the market for drugs and with the enforcement of drug debts in prisons. He said measures were being taken to tackle crime in prison and so reduce violence.⁶⁵

In August 2019 the Government announced investment of £100 million in prison security. The £100 million includes funding for x-ray scanners and metal detectors, as well as technology to detect and block mobile phones.⁶⁶ The Justice Committee welcomed the investment in prison security but said it will only be effective if the equipment purchased, such as drugs scanners, arrives in prisons in a timely fashion.⁶⁷

⁶³ Ministry of Justice, [Justice Secretary launches fresh crackdown on crime in prison – speech](#), 10 July 2018

⁶⁴ Ministry of Justice, [New search teams to disrupt and deter violence in prisons](#), 23 November 2018

⁶⁵ Ministry of Justice, [Speech: Safer prisons, safer streets](#), 1 November 2018

⁶⁶ Ministry of Justice, [10,000 extra prison places to keep the public safe](#), 11 August 2019 and Ministry of Justice, [£100 million crackdown on crime in prison](#), 13 August 2019

⁶⁷ Justice Committee, [Prison Governance](#), HC 191, 31 October 2019, p33

5. Prison conditions

The Justice Committee in its [March 2019 report](#) considered how limitations to prison regimes and poor day-to-day living conditions, including crowding, can both negatively impact on safety, by causing stress, frustration and boredom:

Until recently Ministers and officials have largely attributed the rise in violence to the influx of Novel Psychoactive Substances (NPS) and staffing reductions, but an assessment of research evidence on prison violence published in September 2018 shows that prison conditions are a considerable factor, as well as the individual characteristics of prisoners. Professor James McGuire of Liverpool University found that physically poor conditions, highly controlling regimes, or circumstances in which rules are unevenly applied or not adhered to or where prisoners do not experience staff decisions as fair or legitimate, can each heighten tensions and induce stresses potentially giving rise to conflict and assault.⁶⁸

In August 2019 the Government announced up to £2.5 billion of funding to create 10,000 additional prison places. The Library briefing [The Prison Estate](#) contains information on conditions in the estate and the Government's 'Prison Estate Transformation Programme'.

In 2019 the Justice Committee said it had been told that regime restrictions related to staffing shortages and other disruptions severely undermined the delivery of rehabilitative services including education, mental health treatment, substance misuse treatment and offending behaviour programmes. The Committee noted the impact this had on safety:

The nature of regimes and restricted access to rehabilitative activities has a cyclical impact on the degradation of regimes and safety, owing to the boredom and frustration of prisoners enduring impoverished regimes, which can in turn lead to violence and self-harm.

The Committee also linked violence to a lack of purposeful activity. Dame Anne Owers, Chair of the Independent Monitoring Boards, in her evidence to the Committee, emphasised the link between safety and purposeful activity and this link was recognised by the Justice Secretary in his evidence.

The Committee repeated the call it made in its Prison Population 2022 report for a dual focus on improving safety and rehabilitative initiatives because the Committee did not believe prisons would become less violent without proper investment in purposeful activity for prisoners.⁶⁹

⁶⁸ Justice Committee, [Prison population 2022: Planning for the future](#), para 96

⁶⁹ Justice Committee, [Prison Governance](#), HC 191, 31 October 2019, p5

6. Support for prisoners in crisis

The Chief Inspector's [Annual Report 2018/19](#) stated that at more than half of inspected adult male prisons, the quality of support for prisoners in crisis, delivered through Assessment, Care in Custody and Teamwork (ACCT) case management, was weak.

ACCT is the Prison Service care planning system used to support prisoners at risk of suicide or self-harm. The purpose of ACCT is to try to determine the level of risk, how to reduce risk and how best to monitor and supervise the prisoner

The Chief Inspector called for an independent external inquiry on self-inflicted deaths in prisons.⁷⁰ At a press conference to launch the report, the Chief Inspector said:

Is it time, after years and years and years of the same faults, same mistakes, same admissions leading to self-inflicted deaths, is it time for there to be an independent external inquiry into this whole subject?

It is no exaggeration to say it is a scandal. People in the care of the state are dying unnecessarily in preventable circumstances.

The Prisons and Probation Ombudsman (PPO) investigates complaints made by prisoners and deaths of prisoners.⁷¹ The PPO's Annual Report 2017-18 said ACCT was not used properly by staff in many cases:

The purpose of ACCT is to try to assess the level of risk, to identify and implement actions that may reduce the risk, and to determine how best to monitor and supervise the prisoner. As in previous years, we continued to see many cases where staff did not follow national instructions and did not complete ACCT procedures properly, which meant that prisoners did not receive appropriate support to reduce their risk of suicide and self-harm.

The PPO's annual report 2018-19 said that its investigations repeatedly identify failings in the way ACCT is managed in prisons. The report welcomed plans to change ACCT but said this would not solve the problem:

We welcome the plans to issue a new, simpler, ACCT form and a new guidance manual for staff. However, the key issues remain those of staff giving insufficient weight to known risk factors and an over reliance on the presentation of those who may be at risk. New forms and manuals will not solve these and staff at all levels must comply with the available guidance on what works so that support is meaningful and makes a difference.

The Ministry of Justice is developing a new version of the ACCT case management process. It has also rolled out a revised and improved Suicide and Self-Harm Prevention course for staff.⁷²

⁷⁰ HMIP, [HM Chief Inspector of Prisons for England and Wales Annual Report 2018-19](#), 9 July 2019, HC 2469, p11

⁷¹ The PPO's website holds an [archive of fatal incident reports](#) and [learning lessons reports](#)

⁷² [PO6426, Prisoners: Suicide](#), 31 October 2019

7. Failure to learn lessons and implement recommendations

In successive annual reports the PPO has drawn attention to prisons being unable to learn lessons from PPO reports or to sustain any improvements prompted by PPO recommendations. In his [annual report for 2015-16](#), the Ombudsman commented:

Unfortunately, I have been saying many of the same things for much of my time in office. (...) Improving safety and fairness is less about identifying new learning and more about implementing the learning already available.⁷³

In his [annual report for 2016/17](#) the Ombudsman made similar observations:

One of the systemic failures is the apparent inability of prisons under pressure to learn lessons or to sustain improvement based on that learning. (...) In short, it is not lack of knowledge, but a lack of effective action that is at issue.

He noted that PPO investigators were often called to new fatal incidents, only to find that previous lessons had not been learned. This level of repeat failure, he said, must not be allowed to continue.⁷⁴

The [PPO's annual report 2018–19](#) again noted the failure to act on the PPO's previous recommendations:

In our reports, we continue to make the same recommendations repeatedly, sometimes in the same establishments and, often, after those recommendations have previously been accepted and action plans agreed to implement them.

On self-inflicted deaths the PPO said the same recommendations were being made as in previous years where remedial action had been promised:

These included recommendations in relation to the management of ACCT (...) The quality of staff engagement with prisoners and the first response of staff when they found a prisoner who appeared to have died were identified as risks. In some cases, we concluded that swifter intervention, in line with the HMPPS policy and expectations, might have prevented a death.

The Justice Committee in 2019 noted serious concerns expressed to the Committee about the seeming inability of prisons to learn lessons and implement changes:

All of the bodies which monitor and scrutinise prisons—HM Inspectorate of Prisons, the Prison and Probation Ombudsman, Independent Monitoring Boards, and the Independent Advisory Panel on Deaths in Custody—and Inquest (...) have expressed to us their serious concerns at the seeming inability of prisons to take action as a result of their reports, in terms of learning lessons, implementing changes, and sustaining resulting improvements.

⁷³ Prisons and Probation Ombudsman, [Annual report 2015-16](#), Cm 9329, September 2016, p7

⁷⁴ Prisons and Probation Ombudsman, [Annual report 2016-17](#), Cm 9461, July 2017, p7

8. Government strategy

The Government's white paper [Prison Safety and Reform](#) was published in November 2016.

In a letter to the Justice Committee in October 2017 then Justice Secretary, David Lidington, stated that the Government was developing an update to the white paper and would soon be publishing a prison safety strategy and action plan.⁷⁵ These were not published.

Justice Secretary, Robert Buckland, told the Justice Committee in 2019 that the white paper informs "the way in which we want to approach particular issues that are affecting not just the safety of prisoners but the safety of staff". Other witnesses to the Committee however queried the extent to which the white paper continues to provide strategic direction for the Prison Service.⁷⁶

The Justice Committee has called for the Government to produce an overarching and integrated strategy to deal with the main challenges facing the prison system.

8.1 Ten prisons project

The Ten Prisons Project aimed to reduce violence in ten challenging prisons by reducing the supply of drugs, raising standards of decency, and increasing leadership capability. The Government said that the ten prisons involved in the project would serve as models of excellence for the rest of the estate to follow.

[Results from the 10 Prisons Project](#) were published in 22 August 2019.

- The rate of assaults per 1,000 prisoners in ten prisons dropped by 16%, from 42.9 in June/August 2018 to 36.1 in April/June 2019
- The percentage of positive results from random mandatory drug tests dropped between August 2018 and March 2019.

The Justice Committee in October 2019 questioned which parts of the project would be rolled out to other prisons and what funding would be available to do this.

The point of the project was to identify what works in terms of improving safety and decency in prisons, but it remains unclear exactly which parts of the project will now be rolled out across the rest of the estate and what funding is available to do this.⁷⁷

⁷⁵ Justice Committee, [2nd Special Report - Government Responses to the Committee's Reports of Session 2016–17 on \(a\) Prison reform: governor empowerment and prison performance \(b\) Prison reform: Part 1 of the Prisons and Courts Bill](#), HC 491, 23 October 2017, p2

⁷⁶ Justice Committee, [Prison Governance](#), HC 191, 31 October 2019, p

⁷⁷ Justice Committee, [Prison Governance](#), HC 191, 31 October 2019, p53

8.2 National Strategy for Safety

Then Prisons Minister, Robert Buckland, wrote to the Justice Committee in June 2019 giving details of HM Prison and Probation Service's national strategy for safety.⁷⁸

The strategy is split into five themes. Work being undertaken within each theme included:

People

- Implementation of key workers supported by the recruitment of additional prison officers
- The rollout of improved suicide and self-harm training for new and existing staff
- The trial of Trauma Risk Management (TRiM), a peer to peer support programme designed to assist people to deal effectively with the effects of a traumatic event.

Physical

- To tackle the supply of drugs, training 300 specialist drug dogs, introducing mandatory drug tests for psychoactive substances, funding new technology such as security scanners.
- Continuing to monitor the use of PAVA in the four pilot sites where refresher training was being given with plans to roll out to other prisons only once they are operating the key worker scheme.
- Introduction of a new personal safety package for staff
- Continuing the use of body worn cameras and Five Minute Intervention
- Reviews of the use of cell bells and safer cells

Population

- Testing a new approach to categorisation in eight prisons
- Rolling out an updated version of the Assessment Care in Custody and Teamwork (ACCT) process used to manage people at risk of self-harm or suicide
- Developing approaches to tackle the issue of debt, particularly drug-debt.

Partnership

- Refreshing the partnership with the Samaritans that supports the Listeners scheme which trains prisoners to provide emotional support to their peers
- The prison drugs strategy a drugs taskforce and regional drugs leads
- A symposium on violence and one on self-harm and suicide to consider current approaches

Procedural

- A revised version of the Safety Diagnostic Tool to provide management information
- A new case management model, the Challenge Support and Intervention Plan to help staff manage violent prisoners and those identified as posing a raised risk of being violent

⁷⁸ Justice Committee, [Letter from Robert Buckland to Chair re HMP Lewes](#), 18 June 2019

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