

**Debate Pack**

29 June 2023

Number CDP-2023/0146

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# Estimates day: the spending of Ministry of Justice on His Majesty's Prisons and Probation Service

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## Summary

On Tuesday 4 July 2023 the House of Commons will consider the estimates of public spending by the Ministry of Justice on His Majesty's Prisons and Probation Service. This debate pack contains details of the latest estimates and previous expenditure, background material, and suggestions for further reading.

# 1 Main estimate

## 1.1 The Estimates process

One of the key principles of the British constitution, going back many centuries, is that the Government may not spend money without Parliament's approval<sup>1</sup>. This approval is given through the Estimates process, in which the Government lays a document before the Commons with the amounts that it is requesting, and the Commons then votes on whether to approve these amounts. More details on the process can be found in section 1 of the Library's briefing on the most recent Main Estimates, which passed the House in May 2023<sup>2</sup>.

Estimates motions are usually considered at two points in the year: Main Estimates in the summer and Supplementary Estimates in the spring. The Main Estimates present the amounts that each Government department expects to spend over the financial year. Just before the end of that financial year, the Supplementary Estimates then update those totals for changes that happened during the year. The 2023-24 Main Estimates were published on 18 May 2023<sup>3</sup>

## 1.2 Types of Spending

Within each Estimate, spending is divided into four distinct budgetary limits, each of which covers spending of a specific type determined by HM Treasury. Changes to the categorisation of spending between categories require prior consultation with parliament.

Departmental Expenditure Limits (DELs) cover net spending which is subject to limits set in Spending Reviews and which it is assumed government departments can control:

- **Resource DEL** (also referred to as 'day-to-day spending') covers costs of running and purchasing goods and services; staff costs; current grants;

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<sup>1</sup> See discussion in chapter 33 of Erskine May, particularly paragraph 33.2, [Financial relations between the Crown and Parliament](#).

<sup>2</sup> Commons Library briefing CBP-9805, [Main Estimates: Government spending plans for 2023/24](#), 26 May 2023, section 1

<sup>3</sup> HM Treasury, [Main Supply Estimates 2023 to 24](#), 18 May 2023

rent; and maintenance costs. It also includes profit or loss on the sale of assets; depreciation; and some impairments; and;

- **Capital DEL** (also referred to as ‘investment spending’) covers the purchase, disposal and major improvement of assets; capital grants (i.e. grants to purchase or enhance assets) and loans.

Annually Managed Expenditure (AME) covers net spending which is more difficult to control and forecast, and which is not subject to Spending Review limits:

- **Resource AME** covers benefits and state pensions; some impairments; and provisions for liabilities; and
- **Capital AME** covers student loans and some financial transactions.

## 1.3

### Summary of the Justice Estimate

The budgetary limits sought by MoJ for financial year 2023-24 are:

- £10,878.8 million for Resource DEL;
- £481.6 million for Resource AME;
- £2,307.5 million for Capital DEL;
- £23.3 million for Capital AME.

More detail on these figures, including changes since last year’s budget, can be found in section 4.1 of the Library’s briefing on the Main Estimates<sup>4</sup> and in the Memorandum to the Estimate<sup>5</sup>. The Memorandum to the Estimate was prepared by the MoJ to support scrutiny of its spending by the Justice Committee and the House of Commons Scrutiny Unit.

## 1.4

### Income

The Main Estimate is net of any income the department receives. Income is generated from several sources including fees, fines, recoveries from other government departments, contributions from clients who received legal aid

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<sup>4</sup> Commons Library briefing CBP-9805, [Main Estimates: Government spending plans for 2023/24](#), 26 May 2023, section 1

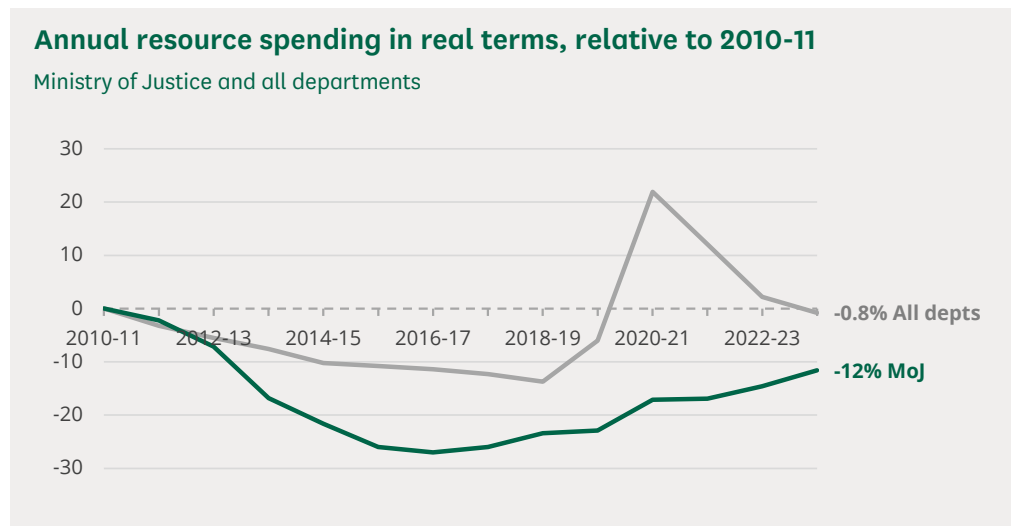
<sup>5</sup> [Ministry of Justice Main Estimate Memorandum 2023-24 \(parliament.uk\)](#)

funding and income from prison industries<sup>6</sup>. The projected income for the department in 2023-34 is around £1.7 billion (no change from 2022-23)<sup>7</sup>.

## 1.5 Long term spending trends

In 2010 the Conservative and Liberal Democrat coalition government embarked on a programme of deep spending cuts. It was aimed at reducing the country's deficit - where it was spending more money than it was raising in taxes.

Below charts the MOJ's Resource and Capital spending during this period and in more recent times in real-terms. Despite nominal cash increases since 2015-16, Resource is 12% less than in was in 2010-11 in real terms. This real terms reduction is lower than the all-department average reduction of 0.8%.

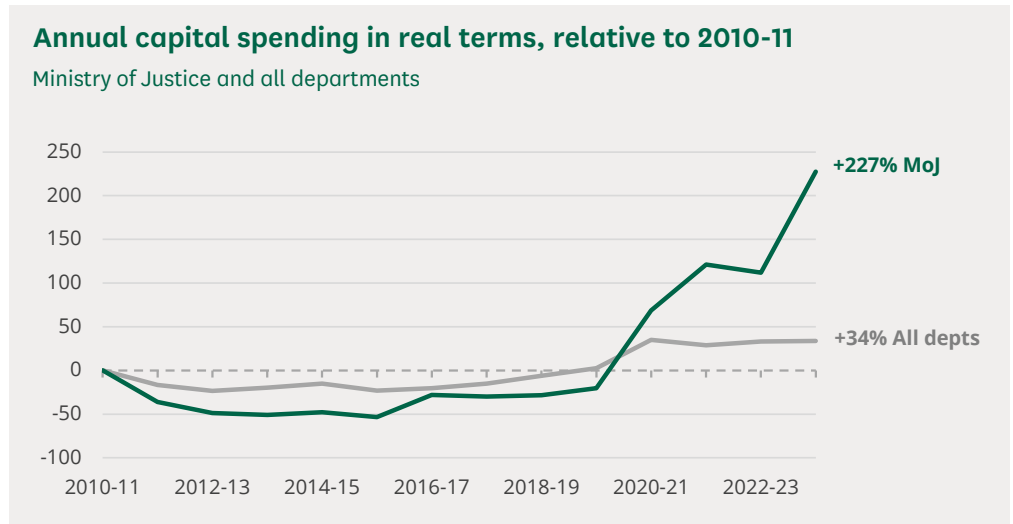


Data source: PESA, Supplementary Estimate 2022-23, Main Estimate 2023-24 and March 2023 GDP deflator series

Conversely Capital (which is the budget for the department's investment expenditure) is now 227% more in real terms than it was in 2010-11, following the additional funding provided for prison capacity amongst other programmes.

<sup>6</sup> [Annual Report and Accounts 2021-22 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>7</sup> [Ministry of Justice Main Estimate Memorandum 2023-24 \(parliament.uk\)](https://parliament.uk)



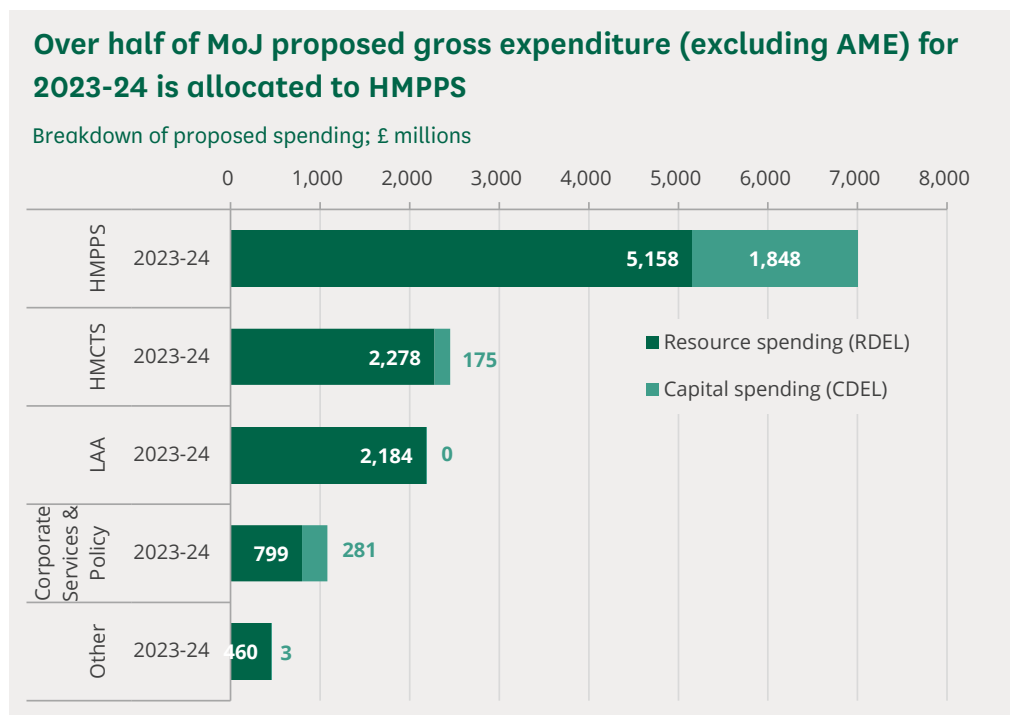
Data source: PESA, Supplementary Estimate 2022-23, Main Estimate 2023-24 and March 2023 GDP deflator series

## 1.6

### How the MoJ spends its money

The MOJ’s total proposed gross expenditure (excluding AME) for 2023-24 is £14.8 billion. Income is expected to be £1.7 billion, reducing the overall cost to the taxpayer to £13.1 billion (£10.8 billion Resource DEL and £2.3bn Capital DEL).

Over half (53%) of the department’s expenditure goes on Prison and Probation Services, 19% on courts services, 17% on legal aid, with the rest going on central policy and corporate costs and arm’s length bodies.



Data source: Main Estimate 2023-24

## 1.7

# HM Prisons and Probation Service (HMPPS) Expenditure

Since 2010-11 resource expenditure for HMPPS (previously National Offender Management Service, or NOMS) has increased by just over £1 billion in cash. In real terms this is a reduction of 5.3%, as recent nominal increases from the latest Spending Review settlements have been eroded by high inflation in recent years.

Within this Resource DEL settlement, the Department must fund existing prison services in addition to the new prison capacity created by the prison capacity programmes. Funding pressures are likely to continue beyond 2023-24 as current plans do not indicate any material uplift in this budget.

### HMPPS Nominal Resource spending since 2010 and comparative real term percentage movements

Annual spending and real terms change relative to 2010-11

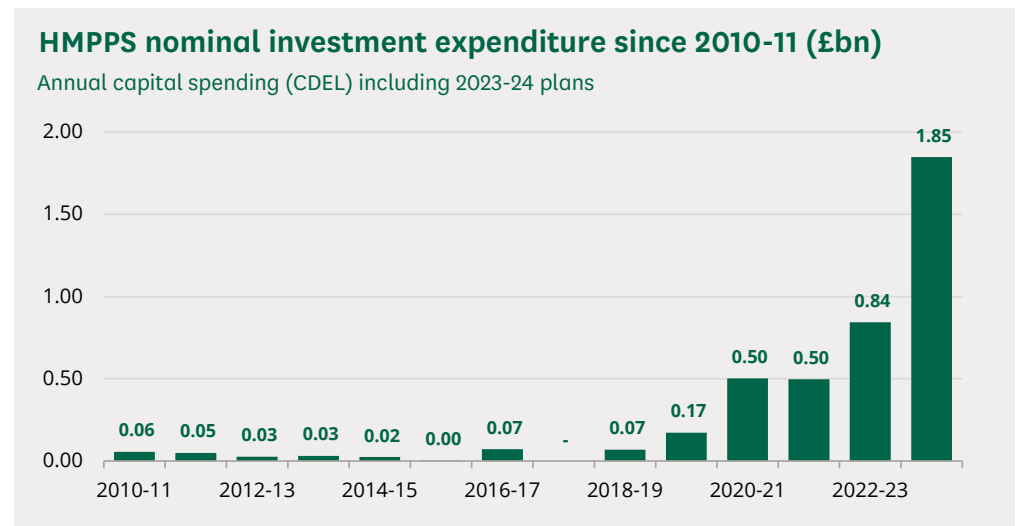
| Financial Year | NOMS & HMPPS RDEL expenditure (£ billion) | Real terms movement relative to 2010-11 baseline |
|----------------|---|--|
| 2010-11        | 4.06                                      | 0.0%   |
| 2011-12        | 3.49                                      | -15.3%   |
| 2012-13        | 3.53                                      | -15.7%   |
| 2013-14        | 3.44                                      | -20.1%   |
| 2014-15        | 3.35                                      | -22.9%   |
| 2015-16        | 3.51                                      | -19.8%   |
| 2016-17        | 3.72                                      | -16.4%   |
| 2017-18        | 3.77                                      | -17.0%   |
| 2018-19        | 4.02                                      | -13.0%   |
| 2019-20        | 4.24                                      | -9.9%  |
| 2020-21        | 4.60                                      | -5.0%  |
| 2021-22        | 4.24                                      | -15.0%   |
| 2022-23        | 4.72                                      | -10.1%   |
| 2023-24        | 5.13                                      | -5.3%  |

Data source: Various annual report and Accounts, 2022-23 Supplementary Estimate and 2023-24 Main Estimate. Real Term % movements calculated using the March 2023 GDP deflators

Conversely, HMPPS's investment expenditure has increased dramatically in recent years following the government pledge to spend £4 billion to "to make

significant progress in delivering 18,000 additional prison places across England and Wales by the mid-2020s<sup>8</sup> during the 2020 Spending Review.

Despite this increase in the budget, programme delays have meant that 37% of the prison programme budget was reprofiled into future years in both 2021-22<sup>9</sup> and 2022-23<sup>10</sup>. This re-profiling of programme expenditure has meant a large increase in investment is now expected this year, as can be seen in the graph below.



Data source: Various MOJ Annual Report and Accounts, 2022-23 Supplementary Estimate and 2023-24 Main Estimate

NB Whilst not all of HMPPS’ investment expenditure will be on prison capacity, it does make up most of it. Exact expenditure on the prison capacity programmes is not available in the annual reports and accounts, nor has it been broken out from other prison investment in this year’s Main Estimate.

## 1.8 Government spending announcements regarding prison capacity

The most recent Spending Review settlement in 2021 provided “£3.8 billion of investment across England and Wales over three years to deliver 20,000 additional prison places by the mid-2020s<sup>11</sup>”.

Below is an overview of the announcements made recently by the government during each Spending Review in relation to Prison capacity.

<sup>8</sup> [CP 330 - Spending Review 2020 – November 2020 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>9</sup> Supplementary Estimate memorandum 2021-22: [committees.parliament.uk/publications/9096/documents/159304/default/](https://committees.parliament.uk/publications/9096/documents/159304/default/)

<sup>10</sup> Supplementary Estimate Memorandum 2022-23: [committees.parliament.uk/publications/34163/documents/187993/default/](https://committees.parliament.uk/publications/34163/documents/187993/default/)

<sup>11</sup> [BUDGET 2021: Protecting the jobs and livelihoods of the British people \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

- **2015 Spending Review:** £1.3 billion of new funding was announced to reform and modernise the prison estate, with the aim of building nine new prisons<sup>12</sup>. Much of this budget was later reprofiled into future years and not utilised during the settlement period<sup>13</sup>.
- **2019 Spending Review:** A new commitment of £2.5 billion was announced to create an additional 10,000 prison places<sup>14</sup>.
- **2020 Spending Review:** A revised commitment of now £4 billion capital funding was announced, this was to be spread over four years and was “to make significant progress in delivering 18,000 additional prison places across England and Wales by the mid-2020s<sup>15</sup>”.
- **2021 Spending Review:** The latest spending commitment was confirmation of what was previously announced in the 2020 Spending Review. The government confirmed to “continue the biggest prison building programme in more than a century. Building on the government’s commitment at SR20, the settlement confirms £3.8 billion of investment across England and Wales over three years to deliver 20,000 additional prison places by the mid-2020s<sup>16</sup>”. Although this settlement is £0.2 billion less than the 2020 announcement, it reflects a three-year settlement rather than the four years.

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<sup>12</sup> [Spending review and autumn statement 2015 - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

<sup>13</sup> [Ministry of Justice Supplementary Estimate 2016-17 Memorandum \(parliament.uk\)](https://parliament.uk)

<sup>14</sup> [Spending Round 2019 - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

<sup>15</sup> [CP 330 - Spending Review 2020 – November 2020 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>16</sup> [BUDGET 2021: Protecting the jobs and livelihoods of the British people \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)



## 2

# Background on prisons and probation

HM Prisons and Probation Service (HMPPS) is the body within the Ministry of Justice (MoJ) which carries out sentences given by the courts, in custody and the community, and rehabilitates people in its care through education and employment in England and Wales.

In terms of expenditure, HMPPS is the largest body within the MoJ. In 2021-22, its gross expenditure was around £5 billion, which made up around 40% of the MoJ's total gross expenditure of around £12.4 billion.<sup>17</sup> In the Government's Main Estimate for 2023-24, spending on HMPPS accounts for 47% of the MoJ's planned resource spending and 80% of its planned capital spending.<sup>18</sup>

Around three-fifths of HMPPS's expenditure is on prisons (£3 billion in 2021-22 out of total gross expenditure of £5 billion), with the bulk of the remainder spend on probation.

## 2.1

# The prison estate and prison population

The prison estate in England and Wales contains 120 prisons holding people who have been sentenced or are on remand awaiting trial for a range of crimes. 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 are 16 prisons in England and Wales that are managed by private sector companies.<sup>19</sup> Three different companies operate these prisons: [G4S](#) (Five Wells, Oakwood, Parc and Rye Hill), [Serco](#) (Ashfield, Doncaster, Dovegate, Fosse Way and Thameside) and [Sodexo](#) (Altcourse, Bronzefield, Forest Bank, Lowdham Grange, Northumberland and Peterborough male and female).

The Library has a [briefing paper on the prison estate](#) which provides a more in-depth look at the composition of the estate, conditions in prisons, and recent policy developments.

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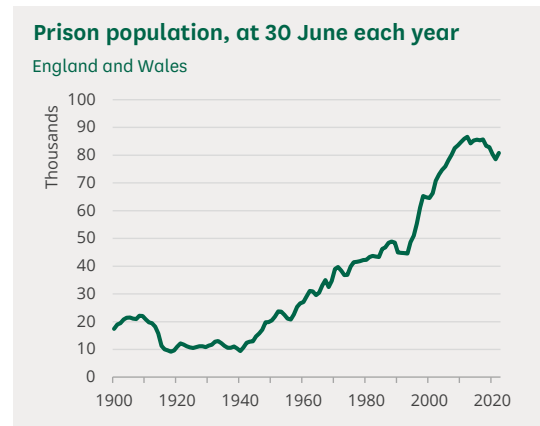
<sup>17</sup> National Audit Office, [Ministry of Justice: Departmental Overview 2021-22](#) (January 2023)

<sup>18</sup> [Ministry of Justice Main Estimate Memorandum 2023-24 \(parliament.uk\)](#)

<sup>19</sup> Gov.uk, [Prisons and their resettlement providers](#), June 2023

## Population

As of 31 March 2023, the total prison population in England and Wales was 84,372 people.<sup>20</sup> This consisted of 77,593 male and 3,206 female prisoners, with female prisoners making up around 4% of prisoners, as has been typical in recent years. Those on remand made up around 17% of prisoners, with the remainder largely consisting of sentenced and recalled offenders.



The prison population has grown substantially over the past 30 years, notably between 1995 and 2010. In 2012, the annual average prison population stood at its highest recorded level of 86,634 people.<sup>21</sup>

During the pandemic, in 2020, the prison population dipped to its lowest level for around 13 years before rising again slightly in

each of the two most recent years.

The Library's briefing [UK Prison Population Statistics](#) provides a longer term overview of changes in the prison population of England and Wales, as well as Scotland and Northern Ireland.

## Population projections

In the long term, the Government expects the prison population to increase. The most recent set of projections give a central estimate for the prison population of 94,400 by March 2025 and a range from 93,100 to 106,300 by March 2027.<sup>22</sup>

Among reasons for the projected increase, the Ministry of Justice cites the rise in police officer numbers (which could increase charge volumes and in turn prison demand) and changes in sentencing policy. These projections are subject to a great deal of uncertainty, particularly in relation to "how the courts will recover from COVID-19 backlogs, the impact of the additional police officers, and the future crime mix."<sup>23</sup>

It is worth noting that past projections have tended to be slightly higher than the actual prison population. Projections made in 2014 and 2015 expected the prison population to have surpassed 90,000 by 2018, while the highest actual

<sup>20</sup> MoJ, [Offender management statistics quarterly](#), Oct to Dec 2022, table 1.1

<sup>21</sup> MoJ, [Offender management statistics quarterly](#), Jan to March 2022, table A1.1.

<sup>22</sup> MoJ, [Prison Population Projections 2022 to 2027, England and Wales](#)7, 23 February 2023

<sup>23</sup> Ibid.

prison population recorded to date was around 86,600, from which it has since fallen.

## Conditions in the prison estate

There are long standing concerns that the prison estate is unfit for purpose. The estate includes many dilapidated and overcrowded prisons. There is a backlog of maintenance work in prisons that was estimated in March 2021 to be around £1 billion.

HM Inspectorate of Prisons is the independent body which reports on conditions and the treatment of those in held in custody.<sup>24</sup> The then Chief Inspector of Prisons, Peter Clarke, in his [2017-18](#) and [2018-19](#) annual reports, said that conditions in these periods were some of the most disturbing and squalid the inspectorate had ever seen.<sup>25</sup>

Reports in [2019-20](#), [2020-21](#) and [2021-22](#) found persistent problems despite some areas of improvement.<sup>26</sup> The inspectorate found cells were dirty and in a poor state of repair, with toilets lacking a seat and lid. It found vermin was a major problem at some prisons.

Crowding is a persistent issue in the prison estate. In 2022, 62% of prisons were crowded, meaning some cells contained more prisoners than their intended capacity (i.e. two or more prisoners in a one-person cell, or three in a two-person cell).

On an average day in 2022, 20.6% of prisoners in England and Wales were being held in crowded conditions.<sup>27</sup> The highest overall level of crowding was in 2015, when over a quarter (25.5%) of prisoners were in crowded conditions.

Sharing cells is only possible in some categories of prison. Male local prisons had the highest level of crowding in 2022, with 45% of prisoners being held in crowded conditions (accounting for around three-quarters of all prisoners in crowded conditions). In female local prisons, by contrast, only 9% of prisoners were being held in crowded conditions.<sup>28</sup>

## Expansion of the estate

Section 1.8 of this document outlines recent spending announcements in relation to the proposed expansion of the estate. Section 4 of [the Library's](#)

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<sup>24</sup> HM Inspectorate of Prisons, [What we do](#)

<sup>25</sup> HMIP, [Annual Report 2017-18](#), HC1245, p7

HMIP, [Annual Report 2018-19](#), HC 2469, p11

See also: HMIP, [Life in prison: Living conditions](#), October 2017

<sup>26</sup> HMIP, [Annual Report 2021-22](#), HC411, p42

<sup>27</sup> MoJ, [HMPPS Annual Digest, April 2021 to March 2022](#), table 2.2

<sup>28</sup> MoJ, [HMPPS Annual Digest, April 2021 to March 2022](#), Table 2.5

[briefing paper on the prison estate](#) provides a detailed explanation of recent developments in this area.

In brief summary:

- The Government ran a Prison Estate Transformation Programme (PETP) from 2016-2019 aiming to build 10,000 new prison places and close prisons in a poor condition. As of 2020, the Public Accounts Committee reported that just 206 new places had been delivered towards this target.
- Since 2019 the commitment to expand the prison estate has been restated via a series of announcements and spending plans.
- As of 5 June 2023, the Government states that 5,202 of the 20,000 prison places had been delivered. This number includes two new prisons, approximately 700 temporary places through modular units and 680 places at HMP Dartmoor where the lease was extended.<sup>29</sup>
- The Government says it anticipates there will be approximately 6,400 new prison places by the end of May 2024, rising to approximately 8,200 by the end of May 2025.<sup>30</sup>

## 2.2

## Probation

Probation in England and Wales has undergone major reforms in recent years, as detailed in the Library's [briefing paper on contracting out of the probation service](#) (12 May 2019).

As the National Audit Office describes,

“In 2013... [the MoJ] dissolved 35 self-governing probation trusts and created 21 Community Rehabilitation Companies (CRCs) to manage offenders who pose a low or medium risk of harm. It created a public sector National Probation Service (NPS) to manage offenders who pose higher risks. In February 2015, the CRCs were transferred to eight, mainly private sector, suppliers working under contracts, managed by HMPPS, that were to run to 2021-22. [...] In July 2018, the Justice Secretary acknowledged that the quality of probation services being delivered was falling short of expectations and announced that the Ministry [would] terminate its CRC contracts 14 months early, in December 2020.”

In June 2021 the privatised probation services (the Community Rehabilitation Companies) were returned to public control and absorbed into the newly

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<sup>29</sup> [UJIN 187206](#) [Prisons: Construction], 7 June 2023

<sup>30</sup> [UJIN 187210](#) [Prison construction], 12 June 2023

named Probation Service. The unified Probation Service is now responsible for managing all those on a court order or licence following their release from prison in England and Wales.

Expenditure on the probation service accounts for just under a quarter of HMPPS's annual expenditure. In 2021-22 net expenditure on probation was around £1.2 billion.<sup>31</sup>

At the end of 2022, the Probation Service was supervising around 240,000 offenders.<sup>32</sup> This number was slightly higher than in the previous two years, which was likely an effect of the pandemic, but lower than between 2016 and 2019, when the number averaged around 260,000 at the end of each year. The total number of individuals the Probation Service supervises throughout the year will be higher than these end-of-year snapshots.

In 2022, 137,000 offenders started court orders or other sentences requiring supervision. This was the lowest annual number recorded in the current statistics series, which starts in 2013.<sup>33</sup>

HM Inspectorate of Probation monitors the performance of the probation service. It publishes [reports on its inspections and an annual report on Serious Further Offences on its website](#). In It publishes [reports on its inspections and an annual report on Serious Further Offences on its website](#). The most recent report (2023) found that “assessments of the risk of harm people on probation pose remain inaccurate and incomplete – not enough is being done to stop them reoffending and SFO reviews remain below the expected standard.”<sup>34</sup>

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<sup>31</sup> National Audit Office, [Ministry of Justice: Departmental Overview 2021-22](#) (January 2023)

<sup>32</sup> MoJ, Offender Management Statistics quarterly: October to December 2022, 'Probation: 2022', table A4.13

<sup>33</sup> Ibid., tale A4.1

<sup>34</sup> HM Inspectorate of Probation, [Annual report 2023: Serious Further Offences](#), 15 June 2023

## 3

## Press articles

The following is a selection of news and media articles relevant to this debate.

Please note: the Library is not responsible for either the views or the accuracy of external content.

[Hundreds of lags forced to share cells to free up spaces in overflowing prisons](#)

The Sun

Natasha Clark

24 June 2023

[Labour condemns 'culture of lavish spending' under Rishi Sunak as party report reveals govt debit card purchases](#)

Sky News

Ajay Nair

13 February 2023

[UK prisons spend £11m on diversity staff in two years](#)

The Times

Matt Dathan

4 January 2023

[Autumn statement 2022: what will it mean for the legal profession?](#)

The Law Society

24 November 2022

[Autumn statement: Real terms cut for justice spending](#)

The Law Society Gazette

17 November 2022

[Court support service under threat as Ministry of Justice pulls funding](#)

The Guardian

Emily Dugan

19 June 2023

## 4

### Press releases

#### [Further rollout of Rapid Deployment Cells to boost prison places](#)

A further 160 new modular prison cells designed to quickly boost jail capacity and keep the public safe are set to open at HMP Hollesley Bay in Suffolk next week.

24 June 2023

#### [Funding boost to services diverting women from a life of crime](#)

£15 million for services that work with women in the justice system.

26 May 2023

#### [Construction starts on UK's first all-electric prison](#)

Ministry of Justice

4 November 2022

#### [£500 million boost to create thousands of new prison places](#)

New houseblocks to be built at 6 prisons - accommodating more than 2,200 prisoners.

20 June 2022

#### [1,500 new probation officers to protect the public](#)

More than 1,500 new trainee probation officers have been hired this year - hitting the government's target while helping to cut crime, make streets safer and protect the public.

19 May 2022

#### [Britain's first 'smart' prison to drive down crime](#)

Prison designed from top to bottom with smart technology to cut crime and protect public.

4 March 2022

#### [Thousands of new prison places to rehabilitate offenders and cut crime](#)

Sixteen prisons across the country to be expanded through new houseblocks and refurbishments.

18 February 2022

#### [Recruitment drive to ensure offenders pay back for their crimes](#)

Extra 500 staff to oversee 3 million more hours of Community Payback each year.

14 January 2022

## 5

# Parliamentary material

## Parliamentary Questions

### [Prison Officers: Recruitment](#)

14 Jun 2023 | 188757

Asked by: Ellie Reeves

To ask the Secretary of State for Justice, what was the cost to the public purse of recruitment processes for Prison Officers in each of the last 10 years.

Answering member: Damian Hinds | Department: Ministry of Justice

The delivery model for prison officer recruitment in the Ministry of Justice (MoJ), HM Prison and Probation Service (HMPPS) and formerly, the National Offender Management Service (NOMS), has changed several times since 2013 to align with business need. This has spanned local, regional, and centralised management of campaigns, as well as the current blended approach of central and local management, with recruitment costs delegated across roles in individual prisons, regional delivery areas, centralised teams, and contracted suppliers.

Therefore, we do not hold complete figures in each year since 2013 as this information is held in a number of different areas and could only be obtained at disproportionate cost.

The estimated cost to recruit and train a new Band 3 Prison Officer is around £13,000 as published in the Prison Service Pay Review Body 2021 report. Further information can be found on page 55 at: [Prison Service Pay Review Body - Twentieth Report on England and Wales 2021 \(publishing.service.gov.uk\)\(opens in a new tab\)](#).

Please be aware that the figures contained in the document are subject to regular change due to a number of variables and assumptions used to calculate the figures.

### [Prisons: Construction](#)

07 Jun 2023 | 187208

Asked by: Steve Reed



To ask the Secretary of State for Justice, whether the funding for the 20,000 additional prison places is from his Department's baseline budget.

Answering member: Damian Hinds | Department: Ministry of Justice

Our capital requirement is confirmed at each Spending Review (SR) in line with the department's capital requirement in that period, and are not considered within the department's baseline. At SR21 we received Capital Departmental Expenditure Limit (CDEL) funding to deliver the 20,000 prison places. Capital funding required to complete construction in future SR periods will be subject to further discussions with HMT. This is in line with the standard approach to capital funding. Resource Departmental Expenditure Limit (RDEL) funding was received at SR21 to manage new places as they come online in this SR period; funding for capacity that comes online in future SR periods will be subject to funding at future Spending Reviews.

#### Prisons: Construction

07 Jun 2023 | 187207

Asked by: Steve Reed

To ask the Secretary of State for Justice, what estimate he has made how much of the budget allocated to build 20,000 additional prison places (a) has been spent and (b) remains.

Answering member: Damian Hinds | Department: Ministry of Justice

To date (April 2023), the Portfolio has spent £1.3bn and there is a further £2.5bn allocated for the remainder of this SR period. Future budget allocations will be confirmed at future Spending Reviews.

#### Prisons: Staff

22 May 2023 | 185704

Asked by: Anna McMorris

To ask the Secretary of State for Justice, what steps he is taking to increase prison staffing levels.

Answering member: Damian Hinds | Department: Ministry of Justice

HMPPS have recruitment and retention activity underway for all sites with a current or future need. At the end of March 2023, there were 22,288 Full Time

Equivalent (FTE) band 3-5 prison officers in post – an increase of 655 FTE (3.0%) prison officers compared to 31 December 2022. Since March 2022, we have also streamlined the recruitment process with average time for hiring and training prison officers falling month on month.

But recruitment is only part of the solution, we are also focusing on improving retention across the Prison Service. To increase retention rates, we have introduced a retention framework – and for new prison officers, New Colleague Mentors (NCMs) have been introduced to support the wellbeing of new colleagues in establishments across the estate. Over 150 NCMs have been funded and recruited to date. Early indications show the positive impact of NCMs in improving retention overall.

Finally, an increase in prison officer pay has also had a positive impact for increasing and retaining prison officer staffing levels. The 2022/23 prison service pay award delivered at least a 4% award to all staff, with additional investment of a £3,000 increase in ‘Band 3’ prison officer pay. The starting salary for a Band 3 prison officer on a 39-hour/week national contract is now £30,702. Initial exit interview data since July 2022, has shown that pay and reward has become less likely to be referred to as a main reason for leaving the Prison Service.

### Parole: Standards

15 May 2023 | 184465

Asked by: Ellie Reeves

To ask the Secretary of State for Justice, (a) in how many cases have parole board decisions been successfully challenged and (b) what the total financial cost was of paying compensation in those cases, in each of the last 10 years for which figures are available.

Answering member: Damian Hinds | Department: Ministry of Justice

Public protection is our top priority and it is absolutely right that parties are able to exercise their right to ask the Parole Board to reconsider a decision if there is evidence the process has been followed incorrectly or that the decision is irrational.

The Parole Board introduced its reconsideration mechanism in 2019 whereby the Secretary of State or the prisoner can apply for a parole decision to be looked at again by the Parole Board if they have reasons to show the decision is procedurally unfair, irrational or contained an error of law.

Since the commencement of the reconsideration mechanism, 153 cases have been challenged and received a new hearing for a panel to reconsider a

prisoner's application for parole out of 774 applications. The data requested on the number of reconsiderations that were successfully challenged and led to a different outcome is not available.

The financial cost data you have requested regarding compensation payments where prisoners have challenged a decision is not available in the format requested.

### Prisons: Education

11 May 2023 | 183810

Asked by: Mary Kelly Foy

To ask the Secretary of State for Justice, with reference to the oral contribution of the Parliamentary Under-Secretary of State of 23 March 2023, Official Report, column 1850, if he will provide a breakdown of financial expenditure within (a) the core programme and (b) special development strategies of the prison education budget.

Answering member: Damian Hinds | Department: Ministry of Justice

The prison education budget is broken down as follows: (a) the core programme is £115.7 million, and (b) special development strategies is Dynamic Purchasing System (niche and short-term initiatives): £10.4 million, Information, Advice and Guidance: £7.6 Million, Library (non-Prison Education Framework): £5.8 million, Grants (Open University/ Prisoners Education Trust): £1.2 million, OFSTED: £1.4 million, Virtual Campus: £1.4 million.

### Prison Officers: Cameras

11 May 2023 | 183438

Asked by: Julian Knight

To ask the Secretary of State for Justice, how much funding his Department has allocated to providing improved camera equipment for prison officers.

Answering member: Damian Hinds | Department: Ministry of Justice

The total investment over the course of the four-year Body Worn Video Camera contract will be £8.138m. This figure includes £3.1m Capital Departmental Expenditure that was provided as part of the 2021 Spending Review settlement.

The total amount includes both the cost of the equipment and necessary implementation costs, as well as supporting services throughout the contract, such as cloud hosting, software licences, warranty and maintenance.

Ministry of Justice: Consultants

13 Mar 2023 | 158847

Asked by: Emily Thornberry

To ask the Secretary of State for Justice, what the cost to the public purse was of spending on external consultants by (a) HM Courts and Tribunals Service and (b) HM Prison and Probation Service in (i) 2020, (ii) 2021 and (iii) 2022; and whether any of that spending related to the preparation of funding bids to (A) his Department and (B) HM Treasury.

Answering member: Mike Freer | Department: Ministry of Justice

The spend on consultants for the period is listed on the table below.

External Management Consultants Spend by Financial Spend, £000's

|  | 2019/20 | 2020/21 | 2021/22 |
|--|---------|---------|---------|
| Her Majesty's Prison and Probation Service | 2,942   | 5,046   | 4,935   |
| Her Majesty's Courts and Tribunals Service | 5,782   | 478     | 151     |

At this point, we could not identify any spending related to the preparation of funding bids and to look on each individual contract would have disproportionate costs to disaggregate the spend.

The service provided under that spend had a broad range of outcomes, including among others: probation reform, the prison estate transformation program, prison reform and reducing reoffending.

Prisons: Overcrowding

28 Feb 2023 | 150582

Asked by: Ellie Reeves

To ask the Secretary of State for Justice, what assessment he has made of whether the prison estate will reach full capacity; and whether his Department is taking steps to help increase capacity in prisons.

Answering member: Damian Hinds | Department: Ministry of Justice

As our forecast published on 23 February (<https://www.gov.uk/government/statistics/prison-population-projections-2022-to-2027>) sets out, we expect the prison population to rise over the coming years. This is due to the recruitment of an additional 23,000 police officers, the impact of courts recovering from Covid-19 and long-term sentencing reforms to protect the public by locking up the most dangerous criminals for longer.

Our number one priority is protecting the public and cutting crime by taking dangerous criminals off the streets. We are committed to delivering 20,000 additional modern prison places, the biggest prison build programme in a century. This will ensure the right conditions are in place to rehabilitate prisoners, helping to cut crime and protect the public.

Operation Safeguard is an agreement with the National Police Chiefs Council (NPCC) to bring around 400 police cells into temporary use to hold prisoners. Operation Safeguard was previously triggered in 2006 and then in 2007–2008.

On Monday 20 February, the first Operation Safeguard places became available for use in the North-East, North-West and in the Central Police regions. As of Friday 24 February, 83 prisoners have been held in Operation Safeguard places in police stations in the North-East, North-West and in the Central Police regions and have since been moved into prison. On Monday 20 February, HMPPS gave the Police the required 14 days' notice to activate Operation Safeguard in remaining regions (for use from Monday 6 March). As Operation Safeguard is only being used from this week, there has been no cost to the department in the past 3 months.

HMPPS has engaged with the NPCC and relevant forces frequently on Operation Safeguard, and before police cells were used to house prisoners HMPPS issued clear operational guidance to staff and partners, and remain in regular contact.

[Prisoners: Police Custody](#)

28 Feb 2023 | 150579

Asked by: Ellie Reeves

To ask the Secretary of State for Justice, what the cost of Operation Safeguard was in each of the last three months.

Answering member: Damian Hinds | Department: Ministry of Justice

As our forecast published on 23 February (<https://www.gov.uk/government/statistics/prison-population-projections-2022-to-2027>) sets out, we expect the prison population to rise over the coming years. This is due to the recruitment of an additional 23,000 police officers, the impact of courts recovering from Covid-19 and long-term sentencing reforms to protect the public by locking up the most dangerous criminals for longer.

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### [Probation Service: Greater London](#)

01 Feb 2023 | 131426

Asked by: Sam Tarry

To ask the Secretary of State for Justice, with reference to HM Prison Inspectorate's report entitled Independent, serious further offence review of

Jordan McSweeney, published on 24 January 2023, what assessment he has made of the implications for his policies of the findings of that report on the level of (a) excessive workloads and (b) staffing vacancies in the Probation Service in the London region.

Answering member: Damian Hinds | Department: Ministry of Justice

The Probation Service has accepted the recommendations from the HM Probation Inspectorate Report following the serious further offence review of Jordan McSweeney and has an action plan in place.

Following the successful unification of the Probation Service for England and Wales, the Probation Service received an additional annual funding of £155 million. We have significantly increased staff recruitment and have exceeded trainee Probation Officer recruitment targets for 2020/21 and 2021/22, recruiting 1,007 and 1,518 trainees in respective years. The target for 2022/2023 is a further 1,500 trainees.

We are strengthening probation officer numbers so that we can reduce caseloads and focus on strengthening the probation officer's relationship with those they supervise, thereby providing more consistent management and delivery of sentence plans, as well as better assessment and management of risk.

#### [Prison Accommodation: Costs](#)

26 Jan 2023 | 129994

Asked by: Ellie Reeves

To ask the Secretary of State for Justice, what estimate he has made of the cost of expanding prison places in the (a) male and (b) female estates in (i) 2023, (ii) 2024 and (iii) 2025.

Answering member: Damian Hinds | Department: Ministry of Justice

The Ministry of Justice's Spending Review settlement at SR21 (for the 3 years ending FY2024/25) for expanding both male and female prison places was c£3.8bn. Planned annual spend and subsequent estimates will be agreed through the standard parliamentary process, i.e. Main and Supplementary Estimates. The estimate provided at SR21 did not provide a breakdown of costs between the male and female estate.

#### [Probation Service: Staff](#)

26 Jan 2023 | 128695

Asked by: Ellie Reeves

To ask the Secretary of State for Justice, how much was spent on staffing in the Probation Service in each of the last five years.

Answering member: Damian Hinds | Department: Ministry of Justice

The total amount budgeted and spent by Ministry of Justice on Probation Services in England and Wales for the years requested is set out in a summary table below.

| Financial Year | Budget | Expenditure |
|----------------|--------|-------------|
| 2021/22        | 782    | 787         |
| 2020/21        | 548    | 536         |
| 2019/20        | 470    | 479         |
| 2018/19        | 450    | 454         |
| 2017/18        | 437    | 414         |

Note:

- All figures in £m.
- Annual budgets are set taking into account vacancy levels and recruitment profiles.
- Data extracted from the MoJ accounting system, as per the year-end audited management accounts.
- Includes payroll costs and agency staff used to cover vacancies.
- Figures from July 2020 onwards includes costs that were transferred back to public ownership following the end of Community Rehabilitation Companies.
- In June 2021 over 7,000 staff were transferred from more than 50 legacy employers into the new unified Probation Service. This explains the payroll increase in spend and budget in 20/21 (part-year impact) and 21/22 (full year impact).
- All figures presented in nominal terms and have not been adjusted for inflationary factors.



- Data includes all Probation Services in England & Wales, Probation Reform Programme and those within Reducing Reoffending & Accommodation.

### Prisons: Repairs and Maintenance

12 Dec 2022 | 102920

Asked by: Steve Reed

To ask the Secretary of State for Justice, what estimate he has made of the annual cost to the public purse of prison maintenance requirements.

Answering member: Damian Hinds | Department: Ministry of Justice

The annual allocation for prison maintenance is determined as part of the Spending Review process, which determines departmental budgets. This year, the department is investing £225m in custodial capital maintenance and £235m in day-to-day facilities management to improve the overall condition of the prison estate.

### Prisons: Education

01 Dec 2022 | 94772

Asked by: Steve Reed

To ask the Secretary of State for Justice, what estimate has he made of the cost to the public purse of Novus delivering Prison Education Services since 2010.

Answering member: Damian Hinds | Party: Conservative Party  
| Department: Ministry of Justice

Prior to 2019-20, education in prisons in England and Wales was funded by the Education Skills Funding Authority: information for those years is not held by the Ministry of Justice. Funding to Novus for subsequent years is shown below.

|         |            |
|---------|------------|
| 2019-20 | 63,468,423 |
| 2020-21 | 63,747,201 |
| 2021-22 | 61,343,009 |
| 2022-23 | 65,283,626 |

### Prison Accommodation: Repairs and Maintenance

22 Nov 2022 | 89889

Asked by: Ellie Reeves

To ask the Secretary of State for Justice, how many closed prisons are owned by his Department; and how much his Department has spent on (a) utility and (b) other maintenance costs for closed prisons in each of the last five years.

Answering member: Damian Hinds | Department: Ministry of Justice

The Ministry of Justice owns four closed prisons.

In each of the last five years, utility costs for the Department were:

2017/18 - £278,159.55

2018/19 - £231,913.92

2019/20 - £306,616.57

2020/21 - £248,107.64

2021/22 - £103,774.57

Other maintenance costs over those same years were:

2017/18 - £16,039.74

2018/19 - £44,684.70

2019-20 - £51,719.08

2020/21 - £39,403.36

2021/22 - £28,664.63

We have successfully sold a number of closed sites and vastly reduced the cost to the taxpayer. This decline in utility costs is down to HMPPS successfully offloading surplus properties and the utilities at sites which are 'closed' for development (such as Glen Parva and Wellingborough) becoming the responsibility of developers during works.

### Ministry of Justice: Recruitment

07 Nov 2022 | 77437

Asked by: Angela Rayner

To ask the Secretary of State for Justice, how much his Department spent on external recruitment consultants in (a) 2019, (b) 2020 and (c) 2021; and what 10 projects or work areas in each of those financial years required the greatest expenditure on support from those consultants.

Answering member: Mike Freer | Department: Ministry of Justice

I can confirm the MoJ has several contracts to deliver external recruitment services; however, these are not consultant based.

The largest of these recruitment service contracts is with TMP Worldwide and spend in the financial years requested is summarised below:

|         |                |
|---------|----------------|
| 2019/20 | £1,509,338.93  |
| 2020/21 | £2,848,380.20  |
| 2021/22 | £7,249,764.60  |
| Total   | £11,607,483.73 |

The spend per project is not available as it is not recorded in the granular level; however, the majority of the spend is for activities to support both Prison Officer and Probation staff recruitment.

There are other recruitment services contracts which have been awarded over the financial years requested. These are listed below.

| Contract Title                             | Supplier               | Total Advertised Contract Value |
|--|------------------------|---------------------------------|
| Recruitment for NED's Appointment          | Gatenby Sanderson      | £52,000.00                      |
| MOJ Recruitment of Non-Executive Directors | Gatenby Sanderson      | £45,600.00                      |
| DTS Recruitment                            | Certes Computing LTD   | £115,000.00                     |
| DTS Recruitment                            | Badenoch and Clark Ltd | £115,000.00                     |
| Tax Staff Recruitment Services             | Robertson Bell         | £50,000.00                      |

### [Prisons: Labour Turnover](#)

22 Sep 2022 | 49164

Asked by: Steve Reed

To ask the Secretary of State for Justice, what steps he is taking to improve the retention of prison staff.

Answering member: Rachel Maclean | Department: Ministry of Justice

In late 2021, the Ministry of Justice launched a retention tool kit to help Governors to tackle the main drivers of attrition in their prisons. We are using the data from this and enhanced exit interviews to better understand why employees are leaving.

We made a significant investment in pay for prison staff through the 2022/23 pay award. This delivered an increase in base pay of at least 4% for all staff between bands 2 to 11, alongside further targeted pay rises for our lowest paid staff of up to £3,000, which we hope will help in reducing leaving rates.

Since April 2022, we have invested in several new initiatives to improve the experience of our new joiners and increase retention of our employees. These include a new peer-to-peer learning scheme, the introduction of mentors for new prison officers, a supervision pilot in two prisons, and new leadership training in prisons facing retention challenges.

## Statements

### [Prison update](#)

19 Jul 2022 | Written statements | House of Commons | HCWS232

### [Prisons Strategy White Paper: Publication of response to consultation questions](#)

14 Jun 2022 | Written statements | House of Commons | HCWS99

## Early Day Motions

### [Royal Commission on Prisons and the Wider Criminal Justice System](#)

590 (session 2022-23)

15 Nov 2022

Primary sponsor: Henderson, Gordon

That this House notes the Government's manifesto commitment to hold a Royal Commission on the Criminal Justice Process, a pledge included in the 2019 Gracious Address; believes that such an initiative is needed now more than ever, with widespread concern over many elements of the criminal justice system; further believes that the prison service has reached such a critical point that this must be the Government's priority for reform, starting with a wide-ranging public inquiry run by experts with statutory powers; and therefore calls on the Government to establish a Royal Commission on Prisons and the Wider Criminal Justice System as a matter of urgency.

## 6

## Further reading

[The prison operational workforce](#)

18 Apr 2023 | Justice Committee | HC 917 2022-23

An inquiry to examine the current state of the prison operational workforce.

[Performance Tracker 2022/23: Spring update – Prisons](#)

Institute for Government

Nick Davies

23 February 2023

[Ministry of Justice: departmental spending over £25,000, 2022](#)

Ministry of Justice

9 February 2023

[Departmental Overview 2021-22: Ministry of Justice](#)

National Audit Office

17 January 2023

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