



Thematic report by HM Inspectorate of Prisons

Remand prisoners

A thematic review

August 2012



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ISBN: 978-1-84099-548-0

Published by:
HM Inspectorate of Prisons
1st Floor Ashley House
2 Monck Street
LONDON
SW1P 2BQ

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With thanks to the prisoners, heads of residential, heads of resettlement and the staff who agreed to be surveyed or interviewed as part of this project.

Glossary

This glossary explains some of the commonly used terms in the following report.

Bail Accommodation and Support Service (BASS)

A national initiative, currently contracted to Stonham, that provides supported bail accommodation for defendants in the community, or support to those with their own accommodation.

Basic custody screening

A standardised tool for quickly assessing the needs and risks that a prisoner presents. It is currently at pilot stage as part of the new offender management model.

Bail information officer (BIO)

An officer designated to assist remand prisoners in submitting applications to court for release on bail.

Counselling, assessment, referral, advice and throughcare service (CARATs)

Service for prisoners with drugs and/or alcohol problems

Convicted unsentenced prisoner

A prisoner convicted of a crime and remanded into custody pending sentencing.

Incentives and earned privileges (IEP)

Prisoner behaviour management scheme.

Integrated drug treatment system (IDTS)

Enables prisoners dependent on drugs to be supplied stabilisation or maintenance medication.

Integrated offender management model

Regionally implemented schemes that integrate the police, probation, prison and other services to manage identified high-risk groups of offenders.

Layered/tiered offender management

An offender management model, piloted in several prisons, which incorporated all sentenced prisoners, with applied resource and assessment type determined by a prisoner's sentence type. There are plans for offender management to be broadened to include all sentenced prisoners from April 2013, with applied resource determined by assessed risk of harm and risk of reoffending.

London initial screening and referral (LISAR)

An assessment tool for identifying the resettlement needs of prisoners arriving into custody that was developed for use across prisons in London.

National Offender Management Service (NOMS)

NOMS is responsible for commissioning and delivering adult offender management services, in custody and in the community, in England and Wales.

Offender management unit (OMU)

Staff in this unit are responsible for assessing and managing the risk of prisoners who fall within scope for offender management, in collaboration with offender managers in the community.

Personal officer

An officer allocated to each prisoner who is located on their residential unit and offers assistance with day-to-day problems or concerns.

Prison Rules

This is secondary legislation that provides national rules for the management of prisoners.

Prison Service Orders (PSOs)

A range of national policies developed by the Prison Service, which provide mandatory instructions and guidance to establishments on how to manage their prison population.

Remand prisoner

Includes both unconvicted and convicted unsentenced prisoners.

Short duration programme (SDP)

A nationally accredited cognitive behavioural-based drug treatment programme, with a focus on harm minimisation, designed to boost drug treatment provision for prisoners in custody for a short period (six months left to serve or on remand).

Standing orders (SOs)

National policies developed by the Prison Service, which pre-date PSOs.

Unconvicted prisoner

A prisoner awaiting trial to be found innocent or guilty.

Introduction

At any one time, remand prisoners make up about 15% of the prison population – about 12,000–13,000 prisoners. Women and those from black and minority ethnic and foreign national backgrounds are over-represented within the remand group. In 2010, 17% of defendants proceeded against at magistrates' courts or tried at the Crown Court were acquitted or not proceeded against, and 25% received a non-custodial sentence. In total, approximately 29,400 prisoners were released after trial.¹

This review examines the experience of young adult and adult remand (unconvicted and convicted unsentenced) prisoners in local prisons against the Inspectorate's four healthy prison tests: safety, respect, purposeful activity and resettlement. It incorporates findings from survey data and inspection reports for 33 local prisons. Fieldwork was also conducted at five prisons and included focus groups with remand prisoners. Interviews with residential and resettlement managers gave an establishment perspective.

We found that remand prisoners enter custody with multiple and complex needs that are equally, if not more, pervasive than among sentenced prisoners. However, despite a long-established principle that remand prisoners – who have not been convicted or sentenced by a court – have rights and entitlements not available to sentenced prisoners, we found that many had a poorer regime, less support and less preparation for release.

Remand prisoners are at an increased risk of suicide and self-harm and nearly a quarter (23%) in our survey said they had felt depressed or suicidal when they arrived at prison. Over three-quarters of remand prisoners reported a welfare problem on arrival, and a third or more said they had a drug or mental health problem.

Some prisoners in our groups had experienced high levels of stress and anxiety while their trial was in progress and they were uncertain about the outcome. However, in both the survey and focus groups, remand prisoners showed little awareness of support services available at the prison. Although most said they had received an induction, many prisoners in our groups felt that they had been given too much information to absorb at such a turbulent time.

The Prison Rules 1999 set out legally binding entitlements for remand prisoners which recognise they have not been convicted or sentenced. However, within Prison Service policy a considerable amount of discretion is permitted to governors on implementing these entitlements. There is also an unresolved disjuncture between the Prison Rules and Prison Service policy, with the latter permitting remand prisoners to share cells with sentenced prisoners if they have consented, and the former appearing to suggest that remand and sentenced prisoners should under no circumstances be required to share a cell. Although sharing residential accommodation and cells with sentenced prisoners was the norm, few in our groups recalled being asked for their consent. Those in our groups felt that staff were unable to distinguish between remand and sentenced prisoners on the wings, and prisoners in our groups and staff we spoke to had limited or no knowledge of their entitlements. The right of remand prisoners to vote had not been facilitated at two of the five prisons visited. Remand prisoners were allowed to wear their own clothes at most establishments, but this was often hindered by complicated and prohibitive processes.

Few in our groups knew about the bail information officer at their establishment, and nearly half of remand prisoners in our survey reported difficulties with obtaining bail information. Bail services varied considerably between establishments and in many cases were not visible or active enough to ensure all who needed the support received it. Remand prisoners also reported difficulties in maintaining contact with solicitors, which was mainly due to difficulties accessing phones and affording calls. The video link facility for court appearances was considered a positive development by prisoners in our groups, although they felt more use could be made of it.

Remand prisoners are, other than in exceptional circumstances, held within the local prison estate. Many local prisons are large, old buildings within urban locations. This and the transient nature of the local prison population – for example, the average period spent on remand is nine weeks – make it harder to offer a decent and purposeful regime. Remand prisoners reported poorer access than sentenced prisoners to services and an inferior regime. In our survey, over half of unconvicted prisoners said they spent less than four hours out of their cell on a weekday. Although unconvicted prisoners have the right to choose whether to attend work or education, they should all be offered the opportunity to do so. Most in our groups said they wanted to take part in activity as this increased their time out of cell and ability to earn money, but a lack of places and/or the prioritisation of sentenced prisoners meant some were unable to do so.

Remand prisoners have certain entitlements for state benefits intended to mitigate the impact of their imprisonment while they are awaiting a verdict (which can, of course establish innocence) or sentence (which may not be custodial). Again, remand prisoners in our groups had little or no awareness of this and there were examples of where they had been misinformed by staff or were excluded from accessing services until sentenced. In our groups, some prisoners said they had lost or relinquished their housing arrangements and faced homelessness on release – in our survey, 39% expected to face housing problems on their release. Some also reported losing employment during their remand period, and of those who had their own businesses, none had received help or been made aware of the entitlement to receive assistance to maintain business activities.

Although remand prisoners' welfare needs were assessed on arrival into custody, little was done to follow these up and address identified needs. In the majority of local prisons there was little or no case management or custody planning for remand prisoners. Remand prisoners were initially to be included in the layered offender management model and there were good examples of remand custody planning in prisons piloting it. However, remand prisoners have now been excluded from this process, which continues to leave a gap in their case management. There is also a marked lack of key data collected by the National Offender Management Service on the needs and outcomes for remand prisoners.

There has been little focus on the remand population since we published the *Unjust Desserts* thematic review in 2000, which highlighted similar findings: that remand prisoners have a distinct set of needs and receive poorer provision than sentenced prisoners. Remand prisoners have very similar needs to unsentenced prisoners. They have either not been convicted or are yet to be sentenced and there is a long standing principle that they should be accorded rights and entitlements that are not available to convicted and sentenced prisoners. Yet far from being treated more favourably, this thematic review has shown that they all too often receive less support and help than convicted and sentenced prisoners. The specific circumstances and needs of remanded prisoners need to be much more clearly and consistently recognised, both

in policy and operational practice, so that they are held in custody for the shortest time possible and while there are given at least the same support as convicted and sentenced prisoners. This is not just a question of addressing injustice in the treatment of the individuals concerned, but ensuring that costly prison places are not used unnecessarily and that everyone is given the chance to leave prison less likely to commit offences than when they arrived.

Nick Hardwick
Chief Inspector of Prisons

August 2012

1. Summary and recommendations

1.1 The findings in this report come from four main sources: inspection reports for 33 category B local prisons published between January 2009 and June 2011, data from surveys at 33 local prison inspections in this period (with 4,868 prisoner respondents, of whom 1,593 were held on remand), interviews with heads of resettlement and residential units at five establishments, and focus groups with unconvicted and convicted unsentenced prisoners at these same establishments.

1.2 At all prison inspections the establishment's performance is assessed against the four tests of a healthy prison which were first introduced in this inspectorate's thematic review, *Suicide is everyone's concern*, published in 1999. This report is structured and focused on the same criteria. The four criteria of a healthy prison are:

| | |
|----------------------------|---|
| Safety | prisoners, even the most vulnerable, are held safely |
| Respect | prisoners are treated with respect for their human dignity |
| Purposeful activity | prisoners are able, and expected, to engage in activity that is likely to benefit them |
| Resettlement | prisoners are prepared for their release into the community and helped to reduce the likelihood of reoffending. |

The characteristics of remand prisoners

1.3 In our survey, a third of respondents said they were on remand – 18% said they were unconvicted and 15% that they were convicted unsentenced. Our survey found that prisoners held on remand had some key demographic features differentiating them from sentenced prisoners. Almost a third of all remand prisoners said they were from a black or other minority ethnic background (compared with just over a quarter in the prison population as a whole), which rose to just over two-fifths in the young adult estate. Similarly, foreign nationals were over-represented, especially in the women's estate where over a quarter said they were foreign nationals.

1.4 As expected, fewer remand than sentenced prisoners said they had been in the prison for over six months; a higher proportion of remand than sentenced prisoners stated that they had been in prison for less than one month. Half of all remand prisoners reported they had been in prison on two or more previous occasions but 34% reported that this was their first time in prison.

Remand prisoners in context

1.5 Remand prisoners are detained in local prisons while awaiting trial or sentencing at court. Local prisons tend to be large and located within confined urban settings, many with old buildings that need modernisation to improve conditions and aid dynamic security. Activity spaces are often insufficient for the population and time out of cell is poor for many. Prisoners in local prisons are often held close to home, which makes it easier to receive visits. However,

as there are fewer establishments for young adults and women, these groups may be held far from their home.

Safety

- 1.6 Some remand prisoners in our groups said they had not expected to be remanded into custody. In our survey, only 73% said they knew where they were being taken when they left court, which fell to 60% for the third of those remand prisoners who had not been in prison before. On returning from a court appearance prisoners normally returned to the same prison and cell they were escorted from. At a prison where this was not the case, prisoners said that the disruption of moving cell after each court appearance, added to the stress of undergoing a trial. Remand prisoners in our groups described long days spent at court, even for short appearances, and having to pack up their belongings each time. Prisoners were generally positive about the use of court video links and felt they should be used more to minimise trips to and from court.
- 1.7 In our survey, remand prisoners were more likely than sentenced prisoners to report welfare problems on arrival in the prison, although relatively few said they had been asked if they needed support for such problems on the day they arrived. Remand prisoners arriving into custody for the first time were less likely to say they were offered support than those who had been in before.
- 1.8 Many prisoners in our groups felt there was an over-reliance on the induction process to convey too much information, which they found difficult to process, as it took time to acclimatise and stabilise once they had arrived. Most respondents in our survey said they had attended an induction, although only 58% felt it had covered everything they wished to know – which could reflect insufficient content or an inability to process and retain all the information presented. The content of induction was variable, with some prisoners describing it as only an introduction to the rules and regime of the prison, rather than a means to describe and signpost support services.
- 1.9 Statistics from the Prisons and Probation Ombudsman (PPO) and National Offender Management Service (NOMS) show that remand prisoners are at a heightened risk of self-harm and suicide. Nearly a quarter (23%) of remand prisoners in our survey said they had felt depressed or suicidal when they arrived, although only half of new arrivals said they had been asked if they needed help with this. Remand prisoners reported poorer access to Listeners (peer supporters).
- 1.10 In our survey, remand prisoners said they felt less safe than sentenced prisoners, although there was no evidence that they experienced more victimisation – 22% said they had experienced victimisation by other prisoners and a quarter (26%) by staff.
- 1.11 Fewer remand prisoners said they had gained enhanced status in the incentives and earned privileges (IEP) scheme. Remand prisoners in our groups described obstacles to reaching enhanced status. It could take two to three months to achieve, which could be too long for those detained on remand for relatively short periods, and enhanced status commonly depended on a prisoner working or attending education, which unconvicted prisoners had the right to decline. Unconvicted prisoners in groups said they were treated the same as convicted prisoners in the scheme, irrespective of their rights and entitlements. A small number of

inspection reports found that unconvicted prisoners were downgraded to basic level for refusing to engage with activities.

- 1.12 Fewer remand than sentenced prisoners said they had drug or alcohol problems, although the figures were still high with over a third (35%) reporting a drug problem and over a quarter (27%) an alcohol problem. The introduction of the integrated drug treatment system (IDTS) has meant that prisons have moved away from offering detoxification as the only treatment for remand and short-sentenced prisoners, and instead use maintenance drugs, where appropriate, and offer better support. The short duration programme (SDP) was one of the few programmes available to remand prisoners at the prisons visited. In our survey, two-thirds (66%) of those who reported substance misuse problems said they had received an intervention, although less than half (48%) said they knew who could help to put them in contact with services in the community. Remanded young adults with a substance misuse problem were much less likely than those sentenced to say they had received an intervention – 65% compared with 81%.

Respect

- 1.13 There was considerable variation in the extent and nature of legal and bail services available to remand prisoners. In our groups, remand prisoners had poor awareness of these services and what they offered and there were indications that services were not always active in seeking out candidates. Where services were implemented well, they had a considerable impact on the success of prisoners' bail applications. Some prisoners had been disinclined to apply for bail as they felt it would not be granted. In our survey, 47% of remand prisoners for whom bail was an issue said they had found it difficult to get bail information.
- 1.14 Remand prisoners reported difficulties managing their court cases from within the prison, and some felt they were impeded by disorganisation at the prison and restrictions on finance and time to make phone calls. In our survey, 45% of those who needed to said they had found it difficult to contact their solicitors. Prison libraries stocked legal texts, although access to the library was reported as limited.
- 1.15 The ability of remand prisoners to vote was not promoted or even facilitated by some prisons visited, and the majority of prisoners in our groups were unaware of their right to vote while held on remand. Some felt they might have voted had they been given the opportunity.
- 1.16 The rights of unconvicted prisoners were often compromised by a lack of staff awareness, or broader prison considerations. The rules for sharing accommodation and cells with convicted prisoners were unclear. The Prison Rules state that unconvicted prisoners should not share accommodation or take part in activities with convicted prisoners, unless explicit consent is given, and can even be interpreted to imply that under no circumstances should an unconvicted prisoner share a cell with a convicted prisoner. However Prison Service and establishment policies and practices were that all sharing was permissible if remand prisoners gave their consent.
- 1.17 Inspections found that, in practice, remand prisoners often did not have an opportunity to give their informed consent to sharing with convicted prisoners. Unconvicted prisoners shared accommodation and cells with convicted and sentenced prisoners at the establishments visited, although one had attempted to designate a wing for unconvicted prisoners. The majority in groups said they had not been asked or were uncertain whether they had been.

Nevertheless, many prisoners said they did not object to sharing with convicted prisoners, although some felt they should be held separately. In our groups, remand prisoners reported receiving fewer facilities and privileges than enhanced sentenced prisoners.

- 1.18 At all prisons visited there was either a higher or no cap on the amount of money unconvicted prisoners could have sent in. To benefit from this privilege, an unconvicted prisoner relied on support from family and friends outside. Unconvicted prisoners were able to spend more each week than convicted and sentenced prisoners.
- 1.19 Restrictions on the regime and cost made keeping in contact with families by phone difficult, especially if the prisoner was without financial support outside or a prison job. Over a third (37%) in the survey reported problems accessing phones.
- 1.20 At all five prisons visited, unconvicted prisoners could send as many letters as they wished and received two free letters a week, although at two prisons they needed to request their free letters.
- 1.21 The policy of most prisons was that unconvicted prisoners could wear their own clothes. However, many unconvicted prisoners were restricted from exercising this right by overly prescriptive and rigid rules, and a lack of laundering facilities.
- 1.22 In all five prisons visited, prisoners could have books brought in, but only one allowed other in-cell activity or hobby items to be brought in. At the other four these items had to be bought from the prison shop or catalogue.
- 1.23 Remand prisoners' access to all support services and activities was often reliant on the applications system. In our survey, perceptions of the applications process were poor across the local prison population, although worse for remand prisoners – only just over half (51%) felt the process was fair and 43% that responses were timely, which was a particular issue for those in custody for only a short time.
- 1.24 In our survey, a similar proportion of remand as sentenced prisoners said that they had a staff member to turn to if they had a problem (71%). Prisoners in groups described staff as unaware and insensitive to the needs of remand prisoners undergoing a trial. As a consequence of being on mixed wings, some prisoners felt staff were not able to distinguish remand from sentenced prisoners. Fewer than half (44%) of remand prisoners in our survey said they had a personal officer, and in groups they were unclear who their personal officer was and what they were supposed to offer.
- 1.25 Four out of the five heads of resettlement we spoke with were not aware of the right of unconvicted prisoners to see their own GP if they wished. There was virtually no awareness of this right among unconvicted prisoners in our groups, although some felt it might have been feasible had they known. Some inspections found that remand prisoners had curtailed access to the dentist or optician.
- 1.26 Over a third (36%) of remand prisoners in our survey indicated that they had an emotional well-being or mental health problem. The number of remand prisoners who said they received treatment was comparable with the sentenced population, although 40% who reported this problem said they had not received any help.

Purposeful activity

- 1.27 High rates of both unconvicted (40%) and convicted unsentenced prisoners (37%) reported they were not involved in any activities at the time of the survey. Nearly a third (29%) of remand prisoners said they had spent less than two hours out of their cells each day, and only 42% had spent more than four hours out of their cell. In our survey, fewer than half (44%) said they had association more than five times a week.
- 1.28 Although unconvicted prisoners have the right to choose not to engage with work, training or education, Prison Rules specify that unconvicted prisoners should be offered the opportunity to work. Many in our groups said they wanted the opportunity to work to earn money and to occupy themselves while in prison.
- 1.29 At all five prisons visited, remand prisoners could take part in work or education. Some prison inspection reports described limited opportunities and a lack of priority for remand prisoners in work and education spaces. This affected their time out of cell and ability to earn money.
- 1.30 Prisoners in groups said that applying for jobs was a lengthier and more difficult process than applying for education, although this was less so for some because they had been in prison before and were known to staff already. At the time of the survey, just over a third (36%) of remand prisoners said they had a job, fewer than sentenced prisoners (46%).
- 1.31 There were very few vocational and other skills training spaces across the local prison estate, and only 8% of remand prisoners said that they were currently involved in such training. Prisoners told us that education was easier to get involved in, and in our survey the proportion of remand prisoners (27%) involved in education at the time of the survey was comparable with sentenced prisoners. Just over a third (36%) of both remanded and sentenced prisoners said they went to the library at least once a week.
- 1.32 More remand than sentenced prisoners, although still only 41%, said they had access to outside exercise three or more times a week, but they reported less access to the gym.

Resettlement

- 1.33 The resettlement strategies in place rarely took account of the needs of the remand population, and some inspections noted that remand prisoners had been excluded in resettlement strategies or a resettlement needs analysis.
- 1.34 Charting remand prisoners' period in custody can be difficult as outcomes of court appearances and their release date are unpredictable. This emphasises the need for oversight from a case manager to make best use of the defendant's time in custody.
- 1.35 Initial individual needs assessments were completed at most establishments inspected, but that was often where the work on the remand prisoner's behalf ended. There were few examples of custody plans produced on the basis of the assessment, and there was weak or no case management to track progress on identified needs. Of the few good examples of effective custody planning noted in inspection reports, most were found at establishments that were piloting layered offender management and the work was undertaken by offender

supervisors. NOMS has since removed remand prisoners from the new offender management model to be rolled out.

- 1.36 Remand prisoners, therefore, often had to find their own way to access services, which was especially difficult for those unfamiliar with prison systems. Remand prisoners in our groups had very little awareness of support services at the prison. Some said it was difficult to source the required support and, beyond the induction, many felt there was no clear and single place or individual to approach for help. In our survey, two-thirds (66%) of remand prisoners said they did not know who to contact for assistance in any area of resettlement.
- 1.37 Over a quarter (27%) of remand prisoners said they had housing problems on arrival in prison. Despite their entitlements to benefits to help maintain housing while held on remand, only 33% of unconvicted prisoners reported that they had been asked if they needed help in this area. Unconvicted prisoners in groups lacked knowledge of their entitlements to housing benefit, and some complained of a slow applications process to access support – several said they had lost their housing since being remanded.
- 1.38 In the absence of clear time frames to work towards, housing providers find it difficult to work with remand prisoners who are homeless. In our groups and in inspections, there were examples of housing services that would not work with unsentenced prisoners. In our survey, 39% of remand prisoners thought they would have housing problems on release, but only 20% said they knew who to contact for help.
- 1.39 In our groups some said they had jobs before custody; those who had said they had received no support and were likely to have lost them. Nearly half (45%) of remand prisoners said finding a job would be a problem when released, but less than one in five (18%) that they knew who to contact for help. Three of the five heads of resettlement interviewed did not have any awareness of unconvicted prisoners' right to support for maintaining their business interests, and this was not promoted at any of the establishments. None of the unconvicted prisoners were aware of this entitlement – some had run their own business before custody and might have benefited from this support.
- 1.40 Unconvicted prisoners had little knowledge of their benefits entitlements, and a few had been misinformed by staff. In our survey, 30% of both remand and sentenced prisoners said that they would have problems claiming benefits once released, but considerably fewer remand prisoners said they knew who to contact for help (20% compared with 32%).
- 1.41 Constraints on phone access and a lack of support made it difficult to manage any existing financial commitments. Prisoners in groups described a variety of financial commitments that had been left unresolved and the subsequent accrual of debt. Nearly a third (29%) of remand prisoners expected to have problems with finance on release and only 11% said they knew who to contact for help.
- 1.42 Few prisoners in local prisons felt they had been helped to maintain contact with family and friends, and fewer remand than sentenced respondents (35% against 38%) reported this. In our survey, nearly half (47%) said they had children under 18. Forty-five per cent of remanded women said they had children, and remanded women in our groups reported considerable obstacles and concern about ensuring the well-being of their children, and little support to deal with this. In our survey, 14% of remanded women said they had problems on arrival ensuring their dependants were looked after.

- 1.43 Most prisons inspected and all five visited gave unconvicted prisoners the minimum of three visits a week as per Prison Service policy; one exceeded this with the provision of a daily hour-long visit. Despite this entitlement, a quarter of unconvicted prisoners in our survey said they had not received any visits. Convicted unsentenced prisoners, who do not have the extra visits privileges, reported delays in visiting orders being processed.
- 1.44 Remand prisoners had little or no access to programmes for thinking or behaviour at the inspected prisons or those visited for fieldwork, and no remand specific courses were available. One prison visited granted remand prisoners access to some non-accredited programmes, and another to a family relationship course.

Recommendations

To the National Offender Management Service (NOMS)

- 1.45 A comprehensive review of strategies and policies for remand prisoners should take place to ensure their treatment and conditions is consistent with their unconvicted and unsentenced status and that they receive interventions and support to resettle successfully after release and do not subsequently offend. The strategy should contain the elements set out below.
- 1.46 The rights and entitlements for remand prisoners should be clarified to ensure they are in line with national legislation and international standards, and that they are considered and, where mandatory, implemented in full by establishments.
- 1.47 Except in exceptional circumstances, unconvicted prisoners should be located on discrete wings, separate from convicted prisoners. Unconvicted prisoners should have a status and regime that recognises and facilitates their entitlements, and that is distinct from the incentives and earned privileges scheme.
- 1.48 A senior manager in each local establishment should have oversight of the remand population to ensure they are aware of and receive their entitlements. Staff working with remand prisoners should be aware of their distinct needs and circumstances.
- 1.49 Bail services should be sufficiently resourced to meet the needs of their remand population and be promoted and active in ensuring that all remand prisoners have access to them.
- 1.50 Remand prisoners should be offered the same opportunity to work as sentenced prisoners.
- 1.51 There should be appropriate resettlement services to meet the needs of remand prisoners, with active case management to support each prisoner's reintegration into the community, and, as far as possible, to ensure that all needs are identified and addressed before release.
- 1.52 Remand prisoners with substance misuse issues should have access to the short duration programmes (SDP).

2. Background to the report

- 2.1 In 2000, HM Inspectorate of Prisons published a thematic review, *Unjust Desserts*, examining the treatment and conditions for unsentenced prisoners in England and Wales.² The review identified two key issues: first, that remand prisoners possess a distinct set of needs that distinguish them from the sentenced population; and second, that unconvicted and convicted unsentenced prisoners received notably poorer provision than sentenced offenders. This was despite the additional entitlements that should be afforded to remand prisoners due to their status (see Section 4). The review concluded that a strategy should be introduced that focused on outcomes for unsentenced prisoners, something as yet to manifest beyond the compilation of Prison Service Order 4600: *Unconvicted, Unsentenced and Civil Prisoners*.
- 2.2 This thematic report looks at the experience of remand prisoners in adult male and women's prisons and in young offender institutions (YOIs). It looks at all stages of a prisoner's journey from the point of entry to release, and the treatment, conditions and support they receive throughout.

Remand decisions

- 2.3 While awaiting trial, the court will decide whether a person accused of committing an offence will be granted bail and remain in the community, or be remanded into prison. The Bail Act 1976 stipulates that defendants have the right to bail unless the court has adequate grounds to prove a defendant may:
- 'fail to surrender to custody; or
 - commit an offence while on bail; or
 - interfere with witnesses or otherwise obstruct the course of justice, whether in relation to the defendant or any other person.'³
- 2.4 There are also four statutory criteria the courts may draw upon to inform their decisions:
- 'the nature and seriousness of the offence in question;
 - the defendant's social background, paying regard to the defendant's character, antecedents, associations and community ties;
 - the defendant's previous history of compliance with bail conditions; and
 - the strength of the evidence against the defendant.'⁴
- 2.5 While held in police custody, the custody sergeant will decide whether to bail or detain the defendant until they appear at the next sitting at the magistrates court (normally 24 hours or 48 at weekends).⁵ The police also assess whether the defendant or somebody else requires protection, likelihood of the defendant failing to attend court when summoned, or whether there is doubt over the name or address of the defendant.⁶ On appearing at court, defendants have a further opportunity to apply for bail, and if the offence is one unlikely to incur a custodial

sentence, a court can only refuse bail if a defendant has failed to attend in the past and it is believed will do so again.⁷ A Home Office research study found that where a defendant had been detained by police, the likelihood of being remanded into prison increased significantly: in 85% of cases, the Crown Prosecution Service agreed with the recommendations of the police service.⁸

- 2.6 Once a defendant is remanded into custody they are subject to custody time limits. Extensions to these must be justified by the prosecution and received from the court:
- 56 days for magistrates' court trial
 - 70 days for committal to the crown court
 - 112 days from committal to crown court trial.⁹
- 2.7 The courts consider that without a stable address, there is a greater risk of a defendant absconding during the legal process.¹⁰ Having access to stable accommodation, therefore, is an important factor in a court's decision, and in some cases may be the only obstacle to a person being granted bail. In 2010, approximately 587,000 defendants were released on bail by magistrates courts and 82,400 by the crown courts.¹¹
- 2.8 There are currently proposals before parliament to curtail the powers courts have to remand defendants into custody, specifically in cases where there is no prospect they would be given a custodial sentence even if convicted.¹²

The remand population

- 2.9 In 2010, of the 69,400 individuals remanded into prison by the courts, 93% were male and 7% female.¹³ In the same period, adult remand prisoners comprised approximately half of all receptions into prisons, unconvicted prisoners 29% (n=42,991) and those awaiting sentence 21% (n=30,943).¹⁴
- 2.10 As seen in Table 1,¹⁵ in 2010, 17% of defendants who had been remanded into custody at some point during proceedings were acquitted, and a quarter (24%) went on to receive a non-custodial sentence. In total, 42% of the remand population were released from prison immediately following a period on remand, either as a consequence of not being proceeded against, being acquitted, or receiving a non-custodial sentence.

Table 1: Final outcome of proceedings at magistrates' courts⁽¹⁶⁾ and the Crown Court in 2010, persons remanded in custody⁽¹⁷⁾⁽¹⁸⁾⁽¹⁹⁾

| Final outcome | |
|--|----------------------|
| Acquitted or not proceeded against ²⁰ | 11,900 (17%) |
| Convicted: | |
| Discharge | 1,700 (2%) |
| Fine | 2,400 (3%) |
| Community sentence | 6,400 (9%) |
| Suspended sentence | 4,300 (6%) |
| Otherwise dealt with | 2,700 (4%) |
| <i>Total non-custodial</i> | <i>17,500 (24%)</i> |
| Immediate custody | 40,000 (58%) |
| Total | 69,400 (100%) |

- 2.11 Due to the more serious nature of the offences dealt with at the Crown Court, the proportion remanded into custody was 62% (n=42,795) of all defendants remanded, and over a third (38%, n=26,610) were remanded at magistrates' courts²¹. Nearly three-quarters (74%) of defendants remanded into custody at the Crown Court went on to receive an immediate custodial sentence and 11% were acquitted or not proceeded against. By contrast, less than a third (32%) of those remanded in custody by magistrates' courts received an immediate custodial sentence, meaning that over two-thirds (68%) were released after receiving either a sentence or verdict; a quarter (27%) of defendants remanded in custody at magistrates' courts were acquitted.²²
- 2.12 There are no official statistics to ascertain the number of prisoners who received a custodial sentence but faced immediate release, having served their sentence on remand. The number of prisoners released on receiving a verdict is likely to be even higher when these are taken into consideration. In 2010, of the 8,505 remand prisoners given a custodial sentence at magistrates' courts, 64% of males and over three-quarters (76%) of females were given a sentence of three months or less.²³
- 2.13 The crown courts process the more serious offences and therefore account for the majority of defendants remanded into custody – in 2010, 60% of all defendants tried at the crown court who went on to receive a custodial sentence were remanded into custody.²⁴ Of those remanded into custody prior to trial or sentence who went on to receive a custodial sentence at the Crown Court, 81% of males and 73% of females who were given a custodial sentence received six months or more. However, 8% of male and 10% of women prisoners were sentenced to three months or less.²⁵
- 2.14 Defendants remanded into custody by magistrates' courts were proceeded against for less serious offences; the most prevalent offence receiving a custodial sentence was theft or handling stolen goods (30%). Over half (53%) of the women remanded at magistrates' courts who went on to receive a custodial sentence had an offence categorised as theft or handling stolen goods, compared with over a quarter (28%) of males. Of those remanded into custody

who went on to receive a custodial sentence at the Crown Court, 23% of men were convicted for violence against the person or a sexual offence. For women this proportion fell to 17%, with sexual offences accounting for just 0.6%.²⁶

- 2.15 At any one time there are approximately 12,000–13,000 individuals held in prison on remand in England and Wales, comprising approximately 15% of the total prisoner population. The average time spent on remand for prisoners awaiting trial is eight weeks and for those prisoners who have been convicted and are awaiting sentence, the average stay is five weeks. For all remand types the average time spent on remand is nine weeks.
- 2.16 Overall, a higher proportion of the women's prison population are held on remand than for men. In March 2012, the proportion of women in prison on remand was 16% of the total number of women in prison; for men it was 14%.²⁷ In 2009, women on remand spent an average of four to six weeks in prison²⁸ and of these women over half did not go on to receive a custodial sentence.²⁹
- 2.17 Prisoners from a black or minority ethnic background comprise 25% of the total prison population, and in June 2011, nearly a third (31%) of untried prisoners and a quarter (24%) of those awaiting sentence in prison were from a black or minority ethnic background.³⁰ One in five (21%) untried prisoners and 15% of those awaiting sentence at this time were foreign national, higher than in the general prison population (13%). Although foreign national prisoners were 16% of the total women's population, they made up over a quarter (27%) of unconvicted women remanded into custody.³¹

The rights of remand prisoners

International legal framework

- 2.18 The law recognises that unconvicted prisoners are detained as a matter of precaution rather than punishment. Taking into account the fundamental legal principle of the presumption of innocence, the law accords unconvicted prisoners special status and provides that they should be subject to no more restriction than is necessary. This special status is acknowledged in many international and regional human rights standards, which grant unconvicted prisoners rights over and above those held by convicted prisoners. In relation to their general treatment, the International Covenant on Civil and Political Rights (ICCPR) states that unconvicted prisoners 'shall be subject to separate treatment appropriate to their status',³² while the Standard Minimum Rules for the Treatment of Prisoners state that unconvicted prisoners shall be treated as innocent.³³ Some international standards include a general provision that prohibits any restrictions on unconvicted prisoners that are not strictly required.³⁴ Some of these international standards, such as the ICCPR, are legally binding while others, such as the Standard Minimum Rules, are normative.
- 2.19 International and regional standards also set out a range of specific rights for unconvicted prisoners. While the phrasing of these rights may vary from standard to standard, with some permitting exceptions in exceptional circumstances where others do not, generally they provide that unconvicted prisoners:

- should be held separately from convicted prisoners³⁵
- should sleep in single rooms³⁶
- may wear their own clothes; where clothes are provided by the prison, they shall be different from those worn by convicted prisoners³⁷
- should not be forced to work but should be offered the opportunity to do so³⁸
- may, if they choose, procure food at their own expense from outside the prison, subject to maintaining good order³⁹
- may, at their own expense, be visited and treated by their own doctor or dentist⁴⁰
- should be able to inform their family immediately of their detention and should be given all reasonable facilities to communication with and receive visits from family and friends⁴¹
- may, at their own expense, procure books, newspapers, writing materials and other means of occupation⁴²
- should be informed of their right to legal advice⁴³ and should be able to communicate with and receive visits from their lawyer without restriction and in confidence⁴⁴
- should benefit from a special regime⁴⁵ or, at their request, have access to the regime for sentenced prisoners.⁴⁶

2.20 Convicted but as yet unsentenced prisoners are also accorded special status in international standards, often being granted the same rights as unconvicted prisoners. The rights of these two groups are, however, more starkly differentiated in domestic law and policy.

Domestic law

2.21 The international standards for unconvicted prisoners are largely reflected in domestic law by virtue of the Prison Rules 1999. The Prison Rules provide for the classification of prisoners and set out how unconvicted prisoners should be treated. They are legally binding and therefore must be complied with by the Prison Service and individual establishments.

2.22 The Prison Rules provide that:

- an unconvicted prisoner shall be kept out of contact with convicted prisoners as far as the governor considers it can reasonably be done, unless and to the extent that he has consented to share residential accommodation or participate in any activity with convicted prisoners (Rule 7(2)(a))
- an unconvicted prisoner shall under no circumstances be required to share a cell with a convicted prisoner (Rule 7(2)(b))
- a governor must allow an unconvicted prisoner to be visited and treated by a named medical practitioner or dentist of the prisoner's own choosing and at his own expense,

provided the governor is satisfied that there are reasonable grounds for the request and the Secretary of State has not directed otherwise (Rule 20(3))

- an unconvicted prisoner may wear his own clothing as long as it is suitable, tidy and clean, and may arrange for the supply of clean clothing from outside the prison, unless there is a serious risk of an escape attempt and, if successful, the prisoner would be highly dangerous to the public, police or national security (Rule 23(1))
- an unconvicted prisoner shall be able to work, if he wishes, as if he were a convicted prisoner (Rule 31(5))
- an unconvicted prisoner may send and receive as many letters and may receive as many visits as he wishes, subject to conditions prescribed by the Secretary of State (unless the visitor is subject to a prohibition or is not a relative or friend) (Rule 35(1))
- subject to any directions by the Secretary of State, an unconvicted prisoner may have supplied to him, at his own expense, books, newspapers and writing materials and other means of occupation, except those that appear objectionable to the Independent Monitoring Board or the governor (Rule 43(1)).

2.23 Additionally, the Representation of the Peoples Act 1983 provides that unconvicted prisoners – as well as convicted unsentenced prisoners – retain their right to vote while in prison.

2.24 The Prison Rules essentially reflect the international legal framework for unconvicted prisoners, although there are some minor differences. For example, the right of prisoners to procure their own food does not feature in domestic law or policy in England and Wales.

Domestic policy

2.25 The Prison Rules are broad, leaving prison authorities with a fair amount of discretion. More detailed guidance on the rights of unconvicted prisoners is provided in Prison Service Orders (PSOs), which do not have the force of law but which nevertheless represent Prison Service policy. PSOs (as well as Prison Service Instructions, PSIs, and Standing Orders, SOs) are produced by HM Prison Service centrally. They outline mandatory standards to be met by all establishments and provide guidance for their delivery. In 2003, HM Prison Service introduced PSO 4600, which outlines the special rights and privileges of remand prisoners based on, for unconvicted prisoners, their presumption of innocence and, for unsentenced prisoners, the absence of a custodial sentence.⁴⁷ PSO 4600 states that an unconvicted person's imprisonment:

'should not deprive them of any of their normal rights and freedoms as citizens, except where this is an inevitable consequence of imprisonment, of the court's reason for ordering their detention and to ensure the good order of the prison. Instructions or practices that limit their activities must provide only for the minimum restriction necessary in the interests of security, efficient administration, good order and discipline and for the welfare and safety of all prisoners.'

2.26 PSO 4600 goes on to state that, as a mandatory requirement, unconvicted prisoners must be allowed all reasonable facilities to:

- seek release on bail
- preserve their accommodation and employment
- prepare for trial
- maintain contact with relatives and friends
- pursue legitimate business and social interests
- obtain help with personal problems.

2.27 Unconvicted prisoners should also receive health care appropriate to their needs and opportunities for education, religious observation, exercise and recreation and, where possible, for training and work.

2.28 In addition to the rights outlined in the Prison Rules (see paragraph 2.22), PSO 4600 draws together provisions in other PSOs and SOs relating to unconvicted prisoners and states that they are entitled to:

- have items for cell activities and hobbies handed in by relatives or friends, as well as to purchase them from private cash or pay (SO 4(31))
- carry out business activities (SO1c (28))
- take part in the incentives and earned privileges scheme, entering at standard level. Movement to basic level should be based on behaviour only (PSO 4000)
- have two statutory letters at public expense per week (SO 5b(8))
- have in possession a greater quantity of smoking materials, and bring in tobacco and cigarettes on reception, or have them sent in by friends (SO 4)
- as a mandatory requirement, unconvicted prisoners who exercise their right not to participate in work or other activities should be provided with the opportunity to spend a minimum of one hour in the open air every day, subject to weather conditions and the needs of good order and discipline (PSO 4275).

The policies in practice

Governor discretion

2.29 In reviewing the PSO in relation to remand prisoners a number of issues have arisen. When implementing the 'mandatory requirements' in PSO 4600 prisons are afforded considerable discretion, even in relation to those rights set out in the Prison Rules. Such discretion risks diluting the entitlements of unconvicted prisoners to the extent where they can be treated much the same as convicted prisoners. This is contrary to the special status afforded to unconvicted prisoners in both domestic and international law.

Outdated policy

- 2.30 A number of the PSOs that describe the entitlements of remand prisoners have become outdated; both PSOs, and SOs before them, are currently in the process of being revised and rewritten as PSIs. There is no intention to update and consolidate the entitlements of unconvicted prisoners into a single PSI. This is unfortunate because PSO 4600 still makes reference to PSO 4275, which mandated 60 minutes in the open air for unconvicted prisoners. PSO 4275 has now been withdrawn and replaced with PSI 75/2011 for residential services – this new PSI makes no specific reference to unconvicted prisoners but includes a requirement to provide a daily minimum of 30 minutes in the open air for all prisoners. PSO 4600 has not been updated accordingly. Furthermore, in the case of prisoners' tobacco entitlement, the entitlement itself is now outdated; at the prisons visited, security concerns prevented any of them from permitting prisoners to have tobacco brought in. Once again, PSO 4600 does not reflect this change in security policy.

Ambiguity

- 2.31 There is also some ambiguity over how Prison Rule 7(2)(b) should be translated into practice in prisons. This rule states that unconvicted prisoners *“shall under no circumstances be required to share a cell with a convicted prisoner”*. One reading of this rule suggests that an unconvicted prisoner may share a cell with a convicted prisoner, but only if he is not forced to do so. It suggests that the two categories of prisoner may share a cell but only if the informed consent of the unconvicted prisoner is sought and freely given. An alternate reading of Rule 7(2)(b) is that unconvicted prisoners shall never share a cell with convicted prisoners. This is supported by the fact that Rule 7(2)(a) explicitly refers to obtaining the consent of the prisoner but 7(2)(b) does not. Thus, if the intention had been that the consent of unconvicted prisoners be sought, the rule should have said so explicitly. Yet it is the former reading of the rule that has formed Prison Service policy. PSO 4600 clearly states that the consent of an unconvicted prisoner is required before he must share a cell:

*An unconvicted prisoner must not in any circumstances be required, **against their will**, to share a cell with a convicted prisoner.⁴⁸*

- 2.32 Thus, PSO 4600 makes clear that prisons should ascertain the will of each prisoner before cell allocation. Regardless of the rule's interpretation, in practice, the consent of prisoners is not always sought (see from paragraph 7.18 below).

The entitlements of convicted unsentenced prisoners

- 2.33 A convicted unsentenced prisoner has been convicted of a crime and remanded into custody pending sentencing; factors such as the complexity of the case, severity of offence or that there are co-defendants undergoing a concurrent trial can prolong this process. Prisoners can be remanded from court at this stage of the legal proceedings without having been remanded before conviction. Sentencing can lead to a custodial or non-custodial outcome and, as such, the individual remains classified as a remand prisoner, but without the presumption of innocence afforded to the unconvicted prisoner.

2.34 Upon conviction, all previous notional entitlements and privileges cease, except for the unsentenced prisoner's right to vote as outlined above. The two exceptions as outlined in PSO 4600,⁴⁹ where prisoners retain the same rights as unconvicted prisoners, are convicted prisoners who have been:

- remanded into custody for medical examination,⁵⁰ or
- remanded in custody after conviction, and sentence has been postponed solely to enable a notice of partiality or liability to deportation to be served (or allow seven days to elapse after serving such a notice).⁵¹

2.35 As noted above, domestic law and policy differ from the international standards in relation to unsentenced prisoners. Whereas domestic policy states that rights and entitlements for unconvicted prisoners cease upon conviction, some of the international standards cited above treat unconvicted and unsentenced prisoners the same. For example, the standards applicable to unconvicted prisoners in the European Prison Rules are applicable to everyone 'prior to trial, conviction *or* sentence' ⁵² (emphasis added). Thus, the European Prison Rules envisage that all remand prisoners are held separately from sentenced prisoners, are able to wear their own clothes or not be required to work. These standards are, however, normative rather than binding.

The right to bail

2.36 PSO 6100 focuses on a prisoner's right to bail under the Bail Act 1976. It applies to unconvicted prisoners as well as some categories of convicted prisoner, and follows on from international and regional law and standards that provide that people deprived of their liberty are entitled to challenge detention. PSO 6100 states that prisons must ensure that:

'all eligible prisoners will be provided with the facilities necessary to assist in their applications for bail and arrangements for release where applicable.'⁵³

2.37 The key requirements for bail service provision in this PSO include:

- that there is a comprehensive bail information scheme in the prison that matches the national standards set by the approved code of practice (ACOP) bail practice committee
- data are provided quarterly for monitoring
- bail information officers (whether prison or probation staff) receive appropriate training
- bail information in the form of a report is supplied to the defence and to the court duty officer (the report must use the nationally agreed standard format).⁵⁴

2.38 There are no official data collated for the number of bail applications made from prisons, and none to track the total number of remanded prisoners who had successfully applied and were released.

2.39 For prisoners with no address to go to, the Bail Accommodation and Support Service (BASS), a national initiative currently contracted to Stonham, provides supported accommodation for defendants in the community, or support to those with their own accommodation. Stonham has

665 bed spaces devoted to this scheme nationally; the support-only service has less capacity. Referrals for bail accommodation come from both courts and prisons and sentenced prisoners have access to the scheme when applying for home detention curfew. As a consequence, it is difficult to judge the level of need among the remanded population for services such as that offered by BASS. Although it is not known how many defendants required the use of BASS, when considering the high number remanded into custody there is some indication that the current capacity of BASS is insufficient, and the government has expressed an intention to develop 'wider use' of BASS for remand prisoners.⁵⁵

- 2.40 Between September 2010 and September 2011, Stonham accepted 3,081 referrals from courts and prisons on to the scheme, one in five (21%) of which were remand prisoners released on bail. Bail applications from court comprised 43% of intake, and sentenced prisoners released on home detention curfew accounted for over a third (35%). During this period, 2,288 referrals were made for remanded prisoners, and 636 (28%) successfully secured release through BASS – predominantly for supported accommodation (571), with a minority released on condition they engaged with the BASS support-only service (65).⁵⁶ The average number of successful referrals to BASS for remand prisoners was 49 a month.

3. Methodology

- 3.1 This report looks at the treatment of adults remanded to prison against the Inspectorate's four tests of a healthy prison: safety, respect, purposeful activity and resettlement. The rights of remand prisoners have been set out in the above section and are referenced in our findings, but this report goes beyond these to review the provision for, and the experience of, the remand prisoner against our own inspection *Expectations* criteria.⁵⁷
- 3.2 The findings in this report look at provision in young adult and adult prisons, for both men and women aged 18 and over. As most remand prisoners are held in local prisons, these are the focus of this report.
- 3.3 The findings in this report come from three main sources: prisoner surveys, inspection reports and fieldwork (see Appendix I for more detail). Unless otherwise specified, any reference to prisoners in local prisons incorporates all prisoners from the adult male, female and male young offender institution (YOI) local estates.

Prisoner surveys

- 3.4 This is a data set of a representative sample of prisoners surveyed in the course of inspections at 33 local prisons between January 2009 and June 2011. It consists of responses from 4,868 prisoners, of whom 876 (18%) said they were unconvicted and 717 (15%) convicted and awaiting sentence when they were surveyed. Collectively, these two groups have been referred to as 'remand prisoners', comprising 1,593 (33%) of the total sample.
- 3.5 Within this data set the following statistical analyses were conducted:
- an overall comparison between responses from those who said they were on remand and those who said they were sentenced in local prisons
 - a comparison between responses from those who said they were on remand and those who said they were sentenced within the following functional types:
 - 24 adult male local prisons
 - five local YOIs, holding men aged 18 to 21⁵⁸
 - four local women's prisons (holding women aged 18 and over)
 - a comparison between the responses from remand prisoners who said it was their first time in prison and those who said they had been in prison before. Prisoners who said that they were sentenced were excluded from this analysis.
- 3.6 In addition, a breakdown of responses from unconvicted, convicted unsentenced and sentenced prisoners was conducted for the full local data set and separately for adult male prisons, women's prisons and YOIs.
- 3.7 Throughout this report, survey analysis refers only to this data from local prisons. In most cases, only the overall analysis is reported, but where there were variations between functional types or the first time in custody analysis these are included. As the local adult male sample

formed a large proportion of the data, the responses to questions deviated less from the overall figures than responses from the smaller YOI or women's samples, and are therefore not cited separately in the text. As unconvicted prisoners had some specific entitlements set out in the Prison Rules and PSO 4600, responses from unconvicted prisoners have been highlighted in these areas.

- 3.8 For the survey analysis, prisoners' sentence status (unconvicted, convicted unsentenced or sentenced) and number of times they had been in prison before are based on self-reported data in the survey.
- 3.9 A caveat when interpreting the comparative analyses is that several prisoners who reported being sentenced at the time of the survey were likely to have spent a portion of their time in the prison on remand, but it was not possible to know the number for whom this was the case. Questions on arrival into custody would be particularly affected, as some sentenced prisoners will have experienced this early stage of imprisonment as a remand prisoner.
- 3.10 In the tables showing survey data, we have highlighted to indicate where there is a real (statistically significant) difference between responses in each group that is not due to chance alone. This is determined using statistical tests. Percentages highlighted in green are significantly better than the comparison group, and those highlighted in blue are significantly worse. If there is no highlighting, no real (or statistically significant) difference between responses was found (see Appendix I for further detail).
- 3.11 Throughout this report data are weighted to mimic the whole population at each establishment and only differences that are statistically significant are mentioned in the text. The exception to this are the characteristics detailed in paragraphs 4.2 to 4.14. This information is not weighted, so that it directly reflects the characteristics of those surveyed. Also, differences have not been tested for statistical significance and are detailed merely to describe the characteristics of different sentence status groups.
- 3.12 All figures have been rounded.

Inspection reports

- 3.13 Findings were collated from reports of 33 full inspections of local prisons published between January 2009 and June 2011, and include 24 adult male prisons, four women's prisons and five male YOIs.

Fieldwork

- 3.14 Fieldwork was conducted between April and May 2011 at five local establishments – three adult male prisons, a women's prison and a YOI. The prisons visited remain anonymous throughout the text. At each prison the fieldwork involved:
- prisoner groups: two semi-structured groups were conducted, one with unconvicted prisoners and one with convicted unsentenced prisoners, which asked participants about their experiences as a remand prisoner

- a meeting with the head of residential: this asked about provision for remand prisoners on the residential units
- a meeting with the head of resettlement: this asked about how the resettlement needs of remand prisoners were identified and met.

Definition

3.15 Throughout the report, the different groups of prisoners have been labelled as below:

| | |
|---------------------------------|---|
| Unconvicted prisoners | Prisoners who were awaiting trial to be found innocent or guilty. |
| Convicted unsentenced prisoners | Prisoners who have been found guilty but were awaiting their sentence |
| Remand prisoners | Includes both unconvicted and convicted unsentenced prisoners as defined above. |
| Sentenced prisoners | Prisoners who had been sentenced to custody. For the purpose of this report, this refers only to those surveyed in local prisons. |

4. The characteristics of remand prisoners

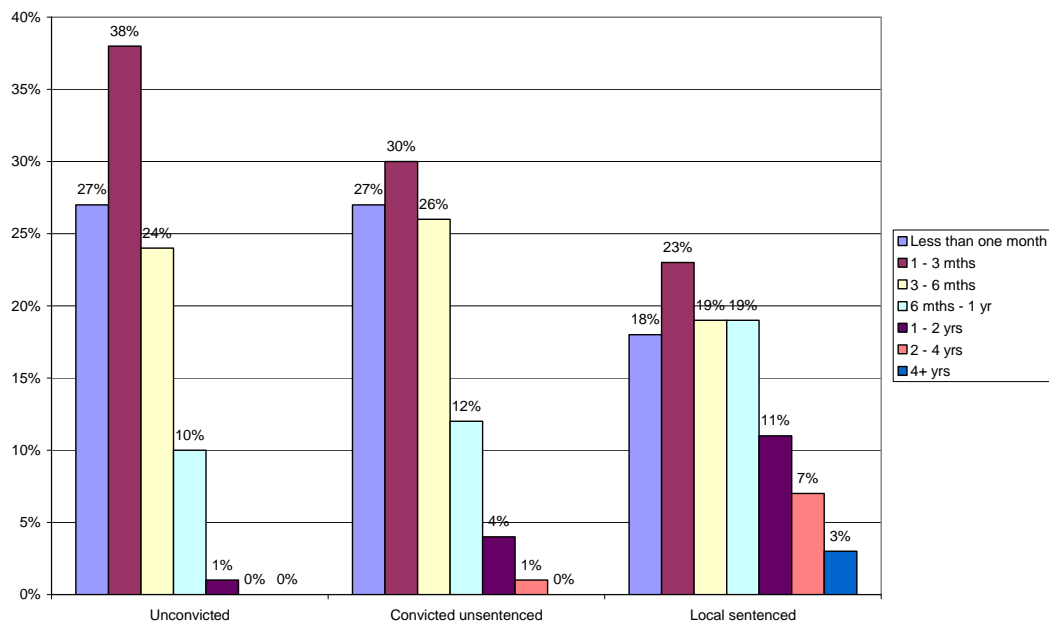
- 4.1 As part of all full inspections, HM Inspectorate of Prisons conducts a survey of a representative sample of prisoners. The period in this report covers surveys conducted for inspections between January 2009 and June 2011, in which 4,868 prisoners were surveyed across 33 adult local prisons.
- 4.2 The proportion of remand prisoners was high in our survey data as the analysis draws only on survey responses from local prisons in which all remand prisoners are held (remand prisoners make up approximately 15% of the total prison population). Approximately a third of all prisoners surveyed at local prisons said they were unconvicted (18%) or convicted unsentenced (15%). Table 2 shows a breakdown by functional type of the percentages of prisoners who reported they were held on remand.

Table 2: Proportion of remanded and judge's remand prisoners by functional type, 2009–11

| Sentence status | Adult male local establishments | Women's local establishments | Young adult local establishments | Overall |
|-----------------------|---------------------------------|------------------------------|----------------------------------|---------------------|
| Unconvicted | 19% | 13% | 18% | 876 (18%) |
| Convicted unsentenced | 14% | 16% | 16% | 717 (15%) |
| Sentenced | 67% | 71% | 66% | 3,275 (67%) |
| Overall | 3,709 | 561 | 598 | 4,868 (100%) |

- 4.3 Prisoners in the local prison estate, irrespective of sentence status, most commonly reported they had been in the establishment between one and three months. A high proportion of those who said they were unconvicted (38%) or convicted unsentenced (30%) said they had been in prison between one and three months (see Figure 1). A quarter of remand prisoners said they had been in the prison between three and six months, and over 10% between six months and one year. Few remand prisoners said they had been in the prison for more than a year, although a notable minority (5%) of convicted unsentenced prisoners and 1% of unconvicted prisoners said they had been. Forty per cent of sentenced prisoners said they had been in the prison for more than six months.
- 4.4 Similar periods in custody were reported by women remand prisoners and those in YOIs. Over a third of remanded women (36%) and young adults in YOIs (37%) reported they had been detained between one and three months. Over one in five remanded women (21%) and young adults (23%) said they had been in prison between three and six months, and 13% and 12% respectively between six months and one year.

Figure 1: Length of time spent in custody



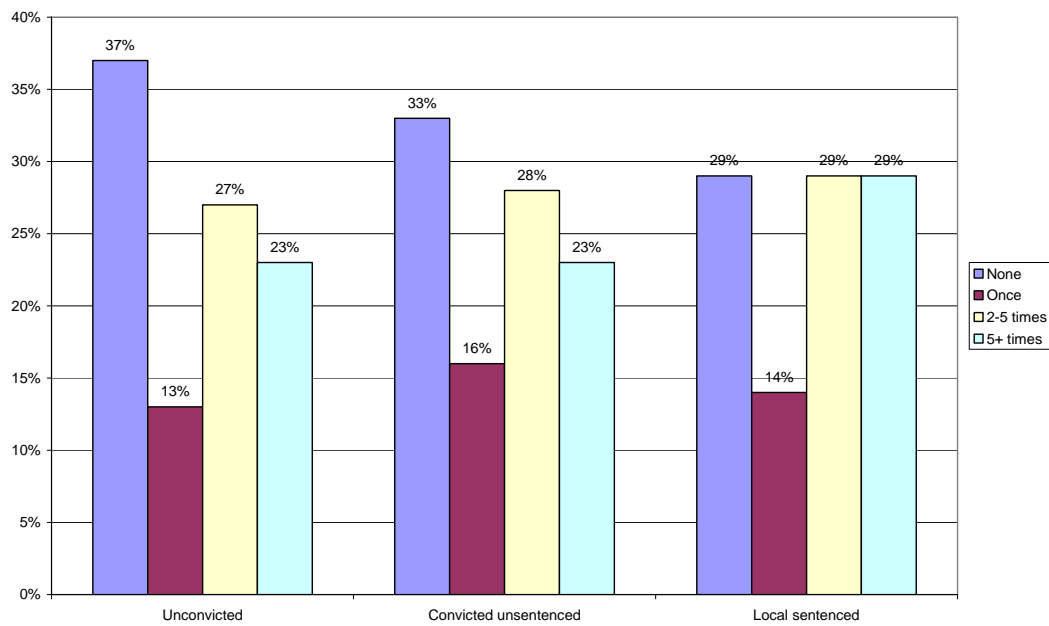
4.5 When prisoners were asked if they had been in prison before, unconvicted prisoners (37%) were more likely to respond that it was their first time in prison than convicted unsentenced (33%) and sentenced prisoners (29%). Therefore, overall about two-thirds of remand prisoners reported that they had been in prison before.

4.6 Over a quarter of unconvicted prisoners (27%) said they had been in prison between two and five times, and more than one in five (23%) that they had been in prison on more than five occasions. The convicted unsentenced prisoner group reported a similar experience to those who were unconvicted: 28% said they had been in prison between two and five times, and 23% more than five times. Twenty-nine per cent of sentenced prisoners in local prisons said they had been in prison between two and five times, and the same proportion that they had been in prison on more than five previous occasions (see Figure 2).

4.7 In the YOIs, a high proportion (61%) of remand young adults reported a previous experience of imprisonment. Ten per cent of unconvicted young adults said they had been in custody once before, and 40% on two to five previous occasions, which was more than in the sentenced group (33%). Eleven per cent of unconvicted young adults reported they had been in prison on more than five previous occasions, no different to those who were sentenced (11%). Similar proportions of convicted unsentenced young adults said they had been in custody before.

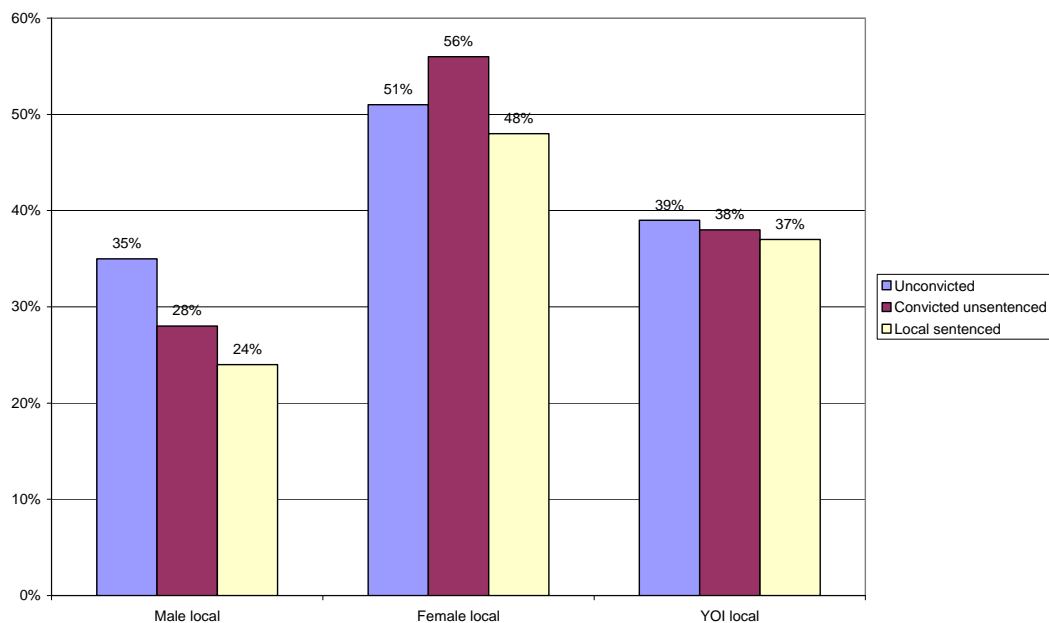
4.8 Nearly half of remanded women said they had been in custody before. Twelve per cent of unconvicted women reported they had been in custody once, 20% on two to five previous occasions, and 17% more than five times. A similar pattern was reported by both convicted unsentenced and sentenced women.

Figure 2: Number of times previously in custody



4.9 Figure 3 shows that more than half of remanded women said they were in custody for the first time – 51% of unconvicted and 56% of convicted unsentenced women – slightly more than those who were sentenced (48%). Fewer adult males reported it was their first time in custody, although over a third (35%) of unconvicted adult males said they had not been in custody before. In YOIs there was little disparity between the proportion of unconvicted, convicted unsentenced and sentenced, with about two-fifths reporting it was their first time in prison.

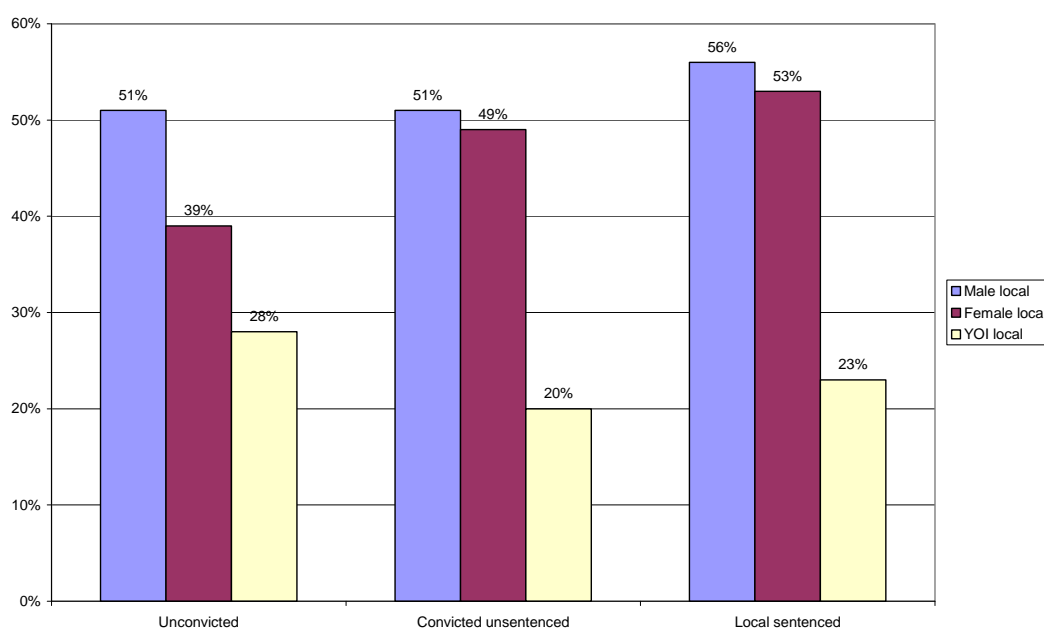
Figure 3: Number of prisoners in prison for the first time by functional type



4.10 Nearly half (47%) of all remand prisoners said they had children under 18. This rose to 51% of adult males remanded into custody.

4.11 Forty-five per cent of remanded women reported they had children – 39% of those unconvicted and nearly half (49%) of convicted unsentenced prisoners. Over a quarter (28%) of unconvicted young adults said they had children.

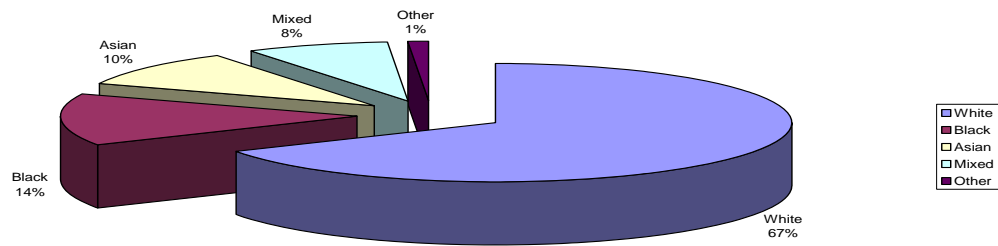
Figure 4: Number of prisoners with children under 18



4.12 As shown in Figure 5, a third (33%) of the remand population in our survey said they were from a black or minority ethnic background, compared with 23% of sentenced prisoners. This was higher within the unconvicted prisoner group, in which 36% said they were from a black or minority ethnic group.

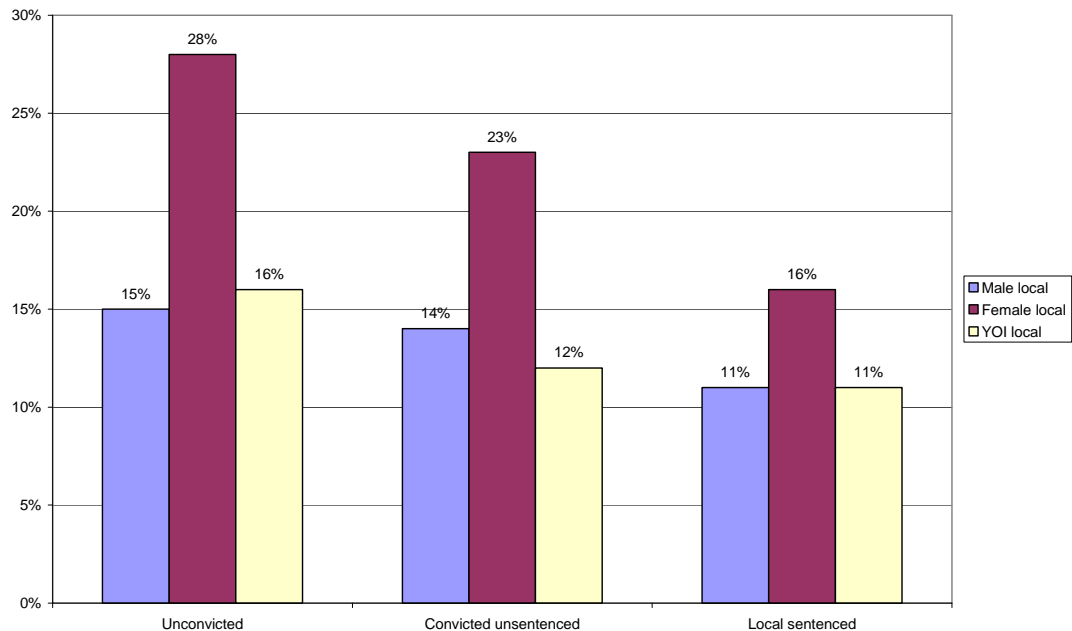
4.13 Just over two-fifths (44%) of remanded young adults in YOIs said they were from a black or minority ethnic group (rising to 52% for unconvicted young prisoners), considerably more than in the sentenced population (25%). Similarly, in women's prisons more remand (37%) than sentenced (28%) prisoners told us they were from a black or ethnic minority group.

Figure 5: Ethnicity of remanded prisoners in our survey



4.14 More remand prisoners than sentenced prisoners said they were a foreign national, 16% compared with 11%. The numbers of foreign nationals were inflated across the remand population but this pattern was accentuated in the female remand population. A quarter (25%) of remanded women said they were foreign nationals, more than among sentenced women (16%). Twenty-eight per cent of unconvicted and 23% of convicted unsentenced women said they were foreign nationals. A full breakdown is provided in Figure 6.

Figure 6: Proportion of the local prison population who identified as foreign nationals



5. Local prisons overview

- 5.1 This section provides an overview of local prisons where, aside from exceptional cases, all remand prisoners are held. This is to give some context of how the prisons that hold remand prisoners perform overall, the key issues they face and the general environment that remand prisoners inhabit.
- 5.2 Individuals remanded into custody to await trial or sentence are located in what is classified as a local prison establishment. Local prisons comprise a considerable proportion of the prison estate (around 50 out of 133 prisons) and offer a local resource for detaining and managing people from the area undergoing trial or serving short sentences. Ideally, these prisons would be dispersed across England and Wales to match the spread of the general population, although this is not always achieved, especially for women and young adult prisoners.
- 5.3 In the last decade, five dedicated women's establishments have been re-roled to accommodate the increased male prisoner population.⁵⁹ Currently there are 13 women's prisons in England and Wales (5% of the prison estate) and only eight of these hold women on remand.⁶⁰ Due to the comparatively low number of local women's prisons, women are likely to be held far from home, meaning that maintaining contact with family and children is difficult.⁶¹ The same is also true for many young adults. In 2010 it was reported that the average distance women were held from home was 55 miles,⁶² and in 2009 over 750 women were held more than 100 miles away from home.⁶³
- 5.4 Due to the limited number of establishments and the diverse needs of the female population, the majority of women's prisons are unable to perform a specific, dedicated function.⁶⁴ Many female establishments have to hold remand, short-sentenced, indeterminate-sentence and long-term sentenced women; as well as holding adults, establishments often carry out several additional functions, such as detaining both young people and young adults, as well as incorporating discrete mother and baby units. There is also an overrepresentation of foreign national women in prison: in June 2011, over 16% of all women in prison were foreign nationals compared to 12% of men in prison.⁶⁵
- 5.5 Local prisons are the first point of entry for all those who come into the prison system. The population in local prisons is very transient; in our survey over half (54%) of the local population said they were either unsentenced or had been sentenced to a year or less, and 71% that they were unsentenced or had less than six months left to serve on their sentence. This is because those given longer sentences are transferred to training prisons. Prisoners serving short sentences are released once they have served their sentence, and remand prisoners can be released on receiving their verdict or sentence. Local prisons take in prisoners who can be chaotic and unstable, with complex and acute needs. In our surveys, a third (33%) of all respondents reported mental health or emotional well-being issues, one in five (22%) said they had problems with feeling depressed or suicidal on arrival, and many reported a drug (37%) and/or alcohol (28%) problem on arrival.
- 5.6 As the needs of prisoners can be more urgent on entering custody, adequate assessment of their needs on arrival at local prisons is important to identify and address any issues they have. Over half (53%) of all prisoners in local prisons said they were asked if they needed help with feeling depressed or contacting family members. In our survey, only a third (36%) of those in local prisons told us they did not expect to face any resettlement problems on release.

- 5.7 An increase in the prison population has resulted in overcrowding which has the greatest impact on local prisons.⁶⁶ In 2010-2011, approximately 24% of the national prisoner population were detained in accommodation intended for fewer prisoners; for local prisons this rate was in excess of 47%. Local prisons in and around cities account for some of the largest prisons in England and Wales – Wandsworth in London is one of the largest prisons in Western Europe, holding up to 1,665 prisoners at a time. A report by HM Inspectorate of Prisons has strongly indicated that the larger the prison's population, the less likely that it will perform well in our healthy prison tests of safety and respect.⁶⁷ Our 2010–11 annual report also noted that the size of a local prison affects prisoners' perceptions of safety, with feelings of safety highest in the smaller prisons.⁶⁸ In our survey, 30% of all prisoners said they felt unsafe on their first night in local prisons and 42% that they had at some time felt unsafe in the establishment.
- 5.8 Many of the inner-city local prisons were built in the 19th century (for example Liverpool was built in 1855 and many local prisons in London were built in the Victorian period), and have undergone extensive refurbishment through the years. However, both their architecture and the confined area they occupy (often within densely populated urban areas) limit the scope for modernisation and expansion. As a result, residential units in local prisons are among some of the most difficult to maintain in the prison estate, and security may be compromised because of large populations and poor sightlines for staff to observe prisoners. In our survey, 23% of all prisoners in local prisons said they had been victimised by other prisoners.
- 5.9 The size and design of local prisons also affects their ability to provide adequate activity places. Our 2010–11 annual report noted that there was a longstanding deficiency in activity spaces, such as prison jobs and education, across the local prison estate.⁶⁹ In local prisons, 40% of unconvicted and 37% of convicted unsentenced prisoners said they were not involved in any activities at the time of our survey. Only 42% of prisoners in local prisons said they had a job (falling to 34% for unconvicted prisoners). Nearly a quarter (24%) of those in local prisons reported spending less than two hours out of their cell on a weekday. This is likely to relate to the deficiency in activity spaces at local prisons, but also poor access to association – less than half (49%) of all respondents in local prisons said they had association more than five times a week. Outside of arranged activities, association is the primary opportunity for prisoners to spend time out of their cells for one to two hours in the afternoon or evening, and is often the only time they can access showers and make phone calls.
- 5.10 Staff-prisoner relationships can determine how stable and secure prisoners feel, and the level of help and support they receive for their problems. Building these relationships is more difficult in local prisons because of the transient and often large population. In our survey, only slightly more than a third (37%) in local prisons told us they had an allocated personal officer. Good relationships foster what is termed dynamic security, by invoking a more settled and respectful environment that is not dependent on disciplinary measures to maintain good order.
- 5.11 The incentives and earned privileges (IEP) scheme is a behaviour management tool based on rewards and sanctions. In local prisons, 10% of all prisoners said they did not know what the scheme was. Less than a third (28%) of prisoners in local prisons said they had gained the top enhanced status, falling to 17% for unconvicted prisoners.
- 5.12 Prisoners in local prisons are often held close to their home and therefore benefit from being close to family and friends, although, as noted above, this is less likely for women and young adults. Visits, an important source of family contact, help to maintain positive relationships and aid reintegration into the community on release. However, in our survey, less than half (49%)

of remand and fewer (40%) of sentenced prisoners in local prisons reported they had received one or more visits in the previous week.

6. Safety

Prisoners, particularly the most vulnerable, are held safely.

Context

- 6.1 Local prisons receive prisoners directly from court so are the point where prisoners first enter custody. It is, therefore, particularly important that prisoners are adequately assessed on arrival to identify their needs and any immediate risk to their safety or the safety of others. Research shows that remand prisoners have a higher level of need than sentenced prisoners in a range of areas. An Office for National Statistics study found that remand prisoners were more likely than sentenced to have a mental health problem; 54% of remanded males and 61% of females were found to suffer from at least three mental disorders.⁷⁰ The Social Exclusion Unit reported that remand prisoners were much more likely than those sentenced to be drug users, in particular crack cocaine and heroin use.⁷¹ Substance misuse has been found to be one of the strongest risk factors for suicide in prisons.⁷²
- 6.2 Remand prisoners have been found to be at increased risk of suicide and self-harm in prison. The Ministry of Justice⁷³ reported that remand prisoners accounted for 55% of self-inflicted deaths in custody in 2010, despite comprising only approximately 15% of the prison population.⁷⁴ The early days in custody are a particularly vulnerable period for all prisoners, with nearly a third of all self-inflicted deaths occurring in their first three months.⁷⁵ Of the reported incidents of self-harm in 2010, 21% had occurred in the prisoner's first month in custody⁷⁶ and approximately one in five incidents involved prisoners on remand. The Prison Service Order for suicide prevention and self-harm management⁷⁷ acknowledges remand prisoners as a high risk group, and stresses the need for effective reception, first night, clinical substance use management and induction to identify prisoners with elevated risk levels. Prison Service policy also mandates that the prison doctor be responsible for observing and, where necessary, advising on how best to supervise prisoners charged with murder, and in the case of a mother who has murdered her own child (under the age of 12 months), advise the Crown Prosecution Service if they form an opinion on her state of mind at the time of the act.⁷⁸

Courts, escorts and transfers

Expectation: Prisoners transferring to and from the prison are treated safely, decently and efficiently.

- 6.3 On entering custody or while taken to attend court from the prison or transferring to a different prison, prisoners are transported in a secure van. When in transit they are escorted by a specialist escort team responsible for their well-being during this process. As shown in Table 3, there was little difference between remanded and sentenced prisoners' perception of how they had been treated by the escort staff. In women's prisons, nearly three-quarters (73%)⁷⁹ of those remanded said they had been treated well, comparable with the 72% of sentenced women who reported this.

- 6.4 In our survey, fewer remand than sentenced prisoners said they knew where they were going when they left court; over a quarter that they had not known where they were being taken. For remand prisoners in custody for their first time, and so less familiar with the process, only 60% said they knew where they were being taken to when they left court.

Table 3: Prisoners' experience of transfers and escorts

| | Remand prisoners | Sentenced prisoners |
|--|------------------|---------------------|
| Did you know where you were going when you left court or when transferred from another prison? | 73% | 77% |
| Were you treated well/very well by the escort staff? | 63% | 63% |

- 6.5 Prisoners in groups said they did not always know where they were going, even when returning to prison following a court appearance. For example, one prisoner said:

'When you go to court you don't always go back to where you've come from.'

However, most prisoners in our groups said that they usually returned to the same prison after they attended court, and that the same cell was usually held for their return:

'You go back to the same cell when you come back in and you always come back to [prison name].'

- 6.6 However, at one male local fieldwork site this was not the case, and we were told that whenever a prisoner attended court he lost his designated cell and was allocated a new one on his return. This appeared to exacerbate an already stressful experience for prisoners. In our groups at this prison, prisoners said:

'They used to save your cell to come back to but they don't do that any more. It's pretty bad and unsettling.'

'Moving of cells [is a negative for remand prisoners at the prison]. Moving us changes everything. We don't have much so the little we have we want to keep together.'

- 6.7 As prisoners do not know if they will be returning to the prison after court (they could be released direct from court, depending on the outcome of their case, or be moved to a different prison), they have to take all their belongings with them each time they go to court. At a few inspections, we criticised the fact that prisoners were not able to take their private cash with their property when they attended court – if released from court, they had to arrange to collect this from the prison.

- 6.8 A previous HM Inspectorate of Prisons report found that even a relatively short court hearing was likely to involve eight hours out of the establishment, and for those who arrived at the prison late, first night procedures, such as risk assessments, could be compromised.⁸⁰ Prisoners in our groups described long days attending court. For example, one prisoner explained:

'[For a court appearance] you get woken at 6am, taken to court at 7am and don't return in the evening until 7-8ish.'

- 6.9 A previous HM Inspectorate of Prisons report⁸¹ found the time taken for a prisoner to be produced for court ranged from six hours at one establishment, to 10 hours 18 minutes at another. Modern technology has reduced the need to transport prisoners physically to and from the courts, as certain proceedings can be undertaken via a video link between the court and prison. In our groups, prisoners were largely positive about video link as an alternative to attending court, but reported variation in the extent to which it was used and its effectiveness. Examples of prisoners' comments were:

'They have video links but they don't use them enough and take you to court for really small, quick things.'

'They've started doing video links more and that's better than being sat in court cells all day.'

'The video link is poor; you can't hear properly. I had my pre-sentence report done via video link and I couldn't keep up with what was going on.'

'I was told that I was supposed to go to court this morning and told to bag up all my stuff. I was stressed all night about going to court. I got woken up at 5.30am and was then told that I had a video link; I had to unpack everything.'

Early days in custody

Expectations: Prisoners are treated with respect and feel safe on their arrival into prison and for the first few days in custody. Prisoners' individual needs are identified and addressed, and they feel supported on their first night. During a prisoner's induction he/she is made aware of the prison routines, how to access available services and how to cope with imprisonment.

Arrival into custody

- 6.10 After they are taken from the escort van, prisoners enter the prison's reception where they and their property are processed and they should undergo assessments of risk and need. As shown in Table 4, just over half of remanded prisoners in our survey felt they had been treated well in reception, and almost three-quarters that when they were searched on arrival, this had been done respectfully. A higher proportion of remanded women felt that they had been treated well in reception (66%), similar to that reported by sentenced women (64%).
- 6.11 Table 4 shows that remand prisoners were less likely than sentenced prisoners to have felt safe on their first night in prison, and even less likely if they had not been in prison before (59%). Likewise in YOIs and women's prisons fewer remand than sentenced prisoners reported feeling safe on their first night (68% compared with 77%; and 63% compared with 71% respectively).

Table 4: Prisoner experiences of safety and respect on arrival into custody

| | Remand prisoners | Sentenced prisoners |
|--|------------------|---------------------|
| Were you treated well/very well in reception? | 55% | 57% |
| When you were searched in reception, was this carried out in a respectful way? | 72% | 75% |
| Did you feel safe on your first night here? | 67% | 71% |

- 6.12** It is important for prison staff to identify the immediate needs and/or risks of prisoners on their arrival to ensure they receive the required support and to reduce the risk of any harm. Person escort records (PERs) are the means by which information on a person's risks are transferred, via the escort team, from police custody to the receiving prison. An examination of a sample of PER forms by this inspectorate found that information on the PER forms that relates to an individual's risk of harm is not always present in the prison custody records, and that information on risk recorded by police detention officers is not always correct or consistent.⁸²
- 6.13** Remand prisoners were more likely than sentenced prisoners to report problems with feeling depressed or suicidal and also a range of welfare problems on arrival, such as housing, ensuring dependants were being looked after, and money worries. The proportion of remand prisoners who said they were offered support in these areas in their first 24 hours was comparable to sentenced, although a considerable proportion said they were not offered this help. For example, only a third of remand prisoners said they were offered help for housing problems and 17% for money problems in their first 24 hours.
- 6.14** In our survey, 34% of remand prisoners said it was their first time in custody, and so would have had little knowledge of the systems and processes in a prison. They reported being offered less support in the first 24 hours in nearly all areas of welfare need than prisoners with a previous experience of custody. Fewer first-time prisoners (40%) than those who been in prison before (48%) said that they had been offered information on the day they arrived about what was going to happen to them at the prison.
- 6.15** The chaplaincy can be a source of support to prisoners on arrival and throughout their time in custody. Although more remand than sentenced prisoners said they were given information about the chaplaincy on their day of arrival, this was still only half. Table 5 also shows that less than half of prisoners said they met the chaplain within their first 24 hours in prison.

Table 5: Prisoner access to the chaplaincy on arrival into custody

| | Remand prisoners | Sentenced prisoners |
|---|------------------|---------------------|
| On your day of arrival, were you offered information about any of the following: | | |
| The chaplaincy? | 49% | 45% |

| Within the first 24 hours did you meet any of the following people: | | |
|---|-----|-----|
| The chaplain or a religious leader? | 45% | 44% |

Induction

- 6.16 Induction is a formal process that should take place shortly after a prisoner's arrival in a prison, and is important for orienting them to the regime and environment, and signposting available support. Table 6 shows there was no difference in the proportion of remand and sentenced prisoners who said they had attended induction and their perceptions of it. Over three-quarters of remand prisoners said they had been on an induction course, but of these only 58% thought it covered everything they wished to know about the prison (see Table 6). The majority of those remanded who had been on an induction said it had been in their first week, although 18% reported that the induction had taken place more than a week after their arrival.
- 6.17 In women's prisons, most (88%) remand prisoners said they had been on an induction course but only just over half (55%) of these felt it had covered everything they needed to know, again similar to that reported by sentenced women. A lower proportion of those in YOIs (81%) said they had been on an induction course than those who were sentenced (86%).

Table 6: Prisoner experiences of access to, and quality of, induction courses

| | Remand prisoners | Sentenced prisoners |
|--|------------------|---------------------|
| Have you been on an induction course? | 78% | 79% |
| For those who have been on an induction course: | | |
| Did the induction course cover everything you needed to know about the prison? | 58% | 58% |

- 6.18 Remand prisoners in prison for the first time were more likely to say they had attended an induction course (83%) than those who had been in prison before (76%), but less likely to say it had covered everything they wished to know about the prison; 52% compared with 60%. This difference in reported attendance could reflect the fact that in some prisons a prisoner who has been in a prison many times before can bypass the induction process. One prisoner said:

'I didn't even get inducted because I've been here before.'

- 6.19 Across fieldwork sites, there was variation in what the induction course involved. At some prisons, prisoners in our groups felt information relating to available services had not been adequately covered, and this was reflected in their poor awareness of support services available to them. Comments included:

'Induction is just one day and it's just about the rules.'

'You don't meet anyone from services on induction, just an officer that tells you about the regime.'

'The induction doesn't seem to apply to you on remand. You don't get anything to make sure you still have a life on the outside. I might not have a house when I get out the way things are going.'

'Induction consists of sitting down with three people who ask you about drugs, kids and mental health, and that's about two minutes, and then they just tick a box.'

- 6.20 However, this may relate to issues around how the information is delivered to prisoners; the information needs to be comprehensive but provided in a way that can be easily digested, and there may be a need subsequently to reinforce knowledge of services once on the wings. Many prisoners will arrive into custody in a state of turmoil, having only recently left chaotic lifestyles in the community, and consideration needs to be given to potential learning and communication difficulties. A consistent message in all our groups was the difficulty that prisoners had in trying to process all the information they were presented with on arrival:

'I was in a daze for the first few days. You see everybody in the first 48 hours. Everything's crammed in and it's really hard to process what's going on.'

'People do come and see you but the problem is your state of mind when you come in; a lot of it's not registering.'

'What help there is here is really good, but it takes you a couple of weeks to get your head in the right place to do anything about it.'

'I've lost my flat. I'm sure all my possessions have been well dispersed now. I wasn't in the right frame of mind when I got in here to try and keep it [house/housing benefit] going.'

- 6.21 Prisons visited during fieldwork did not ensure unconvicted prisoners understood their rights and entitlements laid out in PSO 4600, and it was common for those in our groups to have had no previous knowledge of them. One woman prisoner thought the prison should have done more to raise awareness:

'I think we should be given a handbook or something that tells you what you should get as a remand prisoner.'

- 6.22 The induction was in some cases supported by a booklet or notice board information on the wings, but prisoners in our groups highlighted the problems for those who cannot read:

'It's all very well and good having a booklet with this information in but some of the lads can't read or write.'

'You get given a bit of paper [on induction] and I can't read.'

- 6.23 Some prisoners in groups described a restrictive regime and long periods in their cells during their induction period:

'I spent a week locked down, no showers or anything'

'On induction there's not really a safety issue as you're mainly banged up.'

Bullying and violence reduction

Expectations: Everyone feels safe from bullying and victimisation (which includes verbal and racial abuse, theft, threats of violence and assault). Prisoners at risk/subject to victimisation are protected through active and fair systems known to staff, prisoners and visitors, and which inform all aspects of the regime.

- 6.24 Table 7 shows that remand prisoners were more likely than sentenced prisoners to report having felt unsafe at the time of the survey or at some point in their current prison – 43% said they had at some point felt unsafe, and one in five felt unsafe at the time of the survey.
- 6.25 Remanded young adults in YOIs were more likely than sentenced to report that they had felt unsafe at some time (43% compared with 37%) and that they felt unsafe at the time of being surveyed (17% compared with 13%). In the women's prisons, 46% said they had felt unsafe at some time, a similar proportion to sentenced women, and one in five (19%) that they felt unsafe at the time of the survey, more than sentenced women (14%).

Table 7: Prisoner perceptions of safety

| | Remand prisoners | Sentenced prisoners |
|--|------------------|---------------------|
| Have you ever felt unsafe in this prison? | 43% | 42% |
| Do you feel unsafe in this prison at the moment? | 20% | 17% |

- 6.26 Table 8 shows that over a fifth of both remand and sentenced prisoners reported victimisation from prisoners, and a quarter from staff. When asked about the type and causes of victimisation, fewer remand than sentenced prisoners reported problems in areas such as insulting remarks from prisoners or victimisation by prisoners because of drugs. Just over a third (35%) of remand prisoners who said they had been victimised told us they had reported the victimisation they had experienced.
- 6.27 Similarly, there was no difference in women's prisons between the responses of remand and sentenced prisoners; about a quarter reported victimisation from other prisoners, and a fifth from staff. However, over half (55%) of remanded women who said they had been victimised said they had reported the victimisation. In YOIs, 31% of remanded young adults said they had been victimised by staff, compared with 25% of those who were sentenced.

Table 8: Prisoner experiences of victimisation by other prisoners and by staff

| | Remand prisoners | Sentenced prisoners |
|---|------------------|---------------------|
| Have you been victimised by another prisoner? | 22% | 22% |

| | | |
|--|-----|-----|
| Have you been victimised by a member of staff? | 26% | 26% |
| For those who have been victimised by staff or other prisoners: | | |
| Did you report any victimisation that you have experienced? | 35% | 34% |

6.28 In our groups, a minority of prisoners said that they were victimised because of being on remand. As unconvicted prisoners can have more money sent in from outside, and can spend more each week in the prison shop, there is potential for them to be bullied by prisoners who do not have money sent in or who have a smaller weekly spending limit. However, in our survey there was little to indicate heightened victimisation for unconvicted prisoners; although 9% of unconvicted young adults said they had had their canteen or property taken from them, this was comparable with the response from sentenced young adults. In our groups, prisoners did not report experiencing any bullying because they were unconvicted:

'You don't get bullied for being a remand prisoner.'

'There's never bother from sentenced prisoners because you get more.'

6.29 However, several remand prisoners in our groups said that although they were not bullied by sentenced prisoners for shop items, they felt obligated to support a sentenced cellmate with less financial means than them:

'If you get £47 per week and you're in with a con that's only getting education money and he has no family to support him, then you end up having to carry him.'

Self-harm and suicide

Expectations: *The prison provides a safe and secure environment which reduces the risk of self-harm and suicide. Prisoners are identified at an early stage and given the necessary support. All staff are aware of and alert to vulnerability issues, are appropriately trained and have access to proper equipment and support.*

6.30 Prison Service policy acknowledges that the remand period 'is a time of high risk of suicide and self-harm for the majority of prisoners', and stresses the need for effective first-night procedures for this group of prisoners.⁸³ Table 9 shows that nearly a quarter of remand prisoners in our survey, more than the sentenced prisoners, said they felt depressed or suicidal when they first arrived into custody. This was higher for remanded women with over a third (38%) saying they had felt depressed or suicidal on arrival, but less prevalent in YOIs with less than one in five reporting this (17%), both similar to the responses from sentenced prisoners.

6.31 Just over half of all remanded prisoners said that staff had asked them in their first 24 hours at the prison if they had needed help or support to address feelings of depression or suicidal thoughts (see Table 9).

Table 9: Prisoners reporting problems with feeling depressed or suicidal on arrival into custody and the support offered in their first 24 hours

| | Remand prisoners | Sentenced prisoners |
|---|------------------|---------------------|
| Did you have any problems with feeling depressed or suicidal? | 23% | 21% |
| In the first 24 hours, did staff ask if you needed help with problems of feeling depressed/ suicidal? | 53% | 53% |

6.32 Table 10 shows that fewer remand prisoners said they had been given information on their first day about the support available if they felt depressed or suicidal.

6.33 Some comments from prisoners in our groups illustrated how the stress of awaiting trial could affect their emotional state:

'I'm in limbo, that's what it feels like. At least if you're sentenced you know how long you're here but if there's no end in sight it screws with your head.'

'Your mental state is you're anxious all the time because you don't know what's going to happen to you.'

6.34 Listeners are prisoners trained to speak confidentially with other prisoners experiencing emotional or other problems. As Table 10 shows, more remand than sentenced prisoners said they had met a Listener or spoken to the Samaritans in their first 24 hours in custody, but this was still only one in five. For remand prisoners in custody for the first time, a quarter (25%) said they had spoken with a Listener or the Samaritans within the first 24 hours, compared with 21% of those who had been in before.

6.35 In YOIs only a fifth (21%) of young adults said they had met a Listener or the Samaritans in their first 24 hours in custody.

Table 10: Access to support for prisoners feeling depressed or suicidal on arrival into custody

| | Remand prisoners | Sentenced prisoners |
|---|------------------|---------------------|
| On your day of arrival, were you offered information about any of the following: | | |
| Support available for people feeling depressed or suicidal? | 46% | 48% |
| Within the first 24 hours did you meet any of the following people: | | |
| A Listener/Samaritans? | 22% | 21% |

6.36 Throughout a prisoner's time in custody, Listeners remain a key source of day-to-day support on the wings. However, only just over half of remand prisoners said they could access a Listener when they wanted to, fewer than reported by sentenced prisoners (see Table 11).

Only two-fifths of remanded or sentenced young adults in YOIs said they could access Listeners whenever they wanted to. In women's prisons 60% of remand women said they could access a Listener when needed compared with 68% of sentenced women.

Table 11: Prisoner access to Listeners

| | Remand prisoners | Sentenced prisoners |
|---|------------------|---------------------|
| Are you able to speak to a Listener at any time if you want to? | 54% | 56% |

6.37 Prisoners in groups, particularly at the YOI, felt they had not been allowed to see a Listener when they wanted to:

'I've always asked for a Listener but because the prison is locked down after 5pm they tell you that you can't speak to one.'

'When you ask to see a Listener, occasionally officers will tell you "you don't need a Listener" if you're not usually the type to ask for one, but they don't know that.'

Incentives and earned privileges (IEP)

***Expectations:** Prisoners understand the purpose of the incentives and earned privileges (IEP) scheme and how to progress through it. The IEP scheme provides prisoners with incentives and rewards for effort and behaviour. The scheme is applied fairly, transparently and consistently.*

6.38 The incentives and earned privileges (IEP) scheme is a prisoner behaviour management scheme. It offers three different grades of entitlement (basic, standard and enhanced) that prisoners move between depending on their behaviour. All prisoners begin at the standard level on arrival in custody; negative behaviour can mean a downgrade to basic and positive behaviour an upgrade to enhanced status. Prisoners have different 'privileges' according to their level, with privileges lost if they go down to basic and gained if they become enhanced.

6.39 In our survey, only a fifth of remand prisoners said they were on the enhanced level, compared with a third of sentenced prisoners (see Table 12). This proportion fell to 17% for unconvicted prisoners. It is of note that 16% of unconvicted prisoners said they did not know what the IEP scheme was and so could not report the level they were on. For both remand and sentenced prisoners, just under half said the IEP scheme did what was intended and encouraged them to change their behaviour.

6.40 In the YOIs, only 16% of remanded young adults (falling to 13% for those unconvicted) said they were on the enhanced level, which was less than half the percentage of sentenced prisoners (36%). In women's prisons 22% of remand women said they were on the enhanced level compared with 32% of sentenced women.

Table 12: Prisoner perceptions of the incentives and earned privileges scheme

| | Remand prisoners | Sentenced prisoners |
|---|------------------|---------------------|
| Are you on the enhanced (top) level of the IEP scheme? | 19% | 32% |
| Have you been treated fairly in your experience of the IEP scheme? | 45% | 52% |
| Do the different levels of the IEP scheme encourage you to change your behaviour? | 45% | 45% |

- 6.41 Remand prisoners were less likely than sentenced to feel they had been treated fairly by the IEP scheme. Some unconvicted prisoners in our groups felt that despite their status they received inferior treatment to prisoners who were sentenced:

'Remand prisoners should be treated as enhanced as you're not convicted.'

'We should be treated differently as we haven't been convicted of anything, but you're treated the same as sentenced prisoners.'

- 6.42 We found, and remand prisoners reported, barriers to them gaining enhanced status. One issue was that remand prisoners, who often serve relatively short periods in prison, do not have time to become enhanced. One prisoner commented:

'You have to be here for three months before you get enhanced.'

- 6.43 A prisoner's willingness to engage with and attend work or education is a consideration for officers reviewing IEP status. This puts the IEP scheme into potential conflict with an unconvicted prisoner's right not to engage with these activities, especially where the scheme makes no allowances for this group of prisoners. Only one prison visited during fieldwork had an IEP scheme in which an unconvicted prisoner could exercise their right to refuse work or education and still be able to gain enhanced status. At the YOI, senior managers claimed that IEP status in the prison was determined only by the prisoner's general conduct and behaviour – although its policy stated prisoners must be in work or education to be on the enhanced level, with no specific reference to unconvicted prisoners and different arrangements for them. At one prison, it was simply stated that everyone was expected to work, so attendance at work or education was used as another measure of compliance. Staff on the wings did not differentiate unconvicted prisoners from the rest of the population when applying the rules, and a senior manager at a prison visited said he would not permit an unconvicted prisoner who was not attending work or education to gain enhanced status.

- 6.44 Inspection and survey analysis supported these findings. Staff told unconvicted prisoners at Nottingham (2010) that they would not be eligible for enhanced status if they declined work. In our survey, only 4% of unconvicted prisoners who said they were not involved in any activities reported having enhanced status, compared with a quarter (26%) of those who said they were involved in an activity. Of the unconvicted prisoners who said they had been in prison more than three months and were not involved in activities, 10% reported they were at enhanced level, whereas 43% of those who said they were involved in activities said they were enhanced. None of the unconvicted prisoners who said they were not involved in an activity at

women's prisons or YOIs reported having enhanced status. Not all prisons were found to comply with the Prison Service policy on inspection. At HMYOI Brinsford (2009), IEP sanctions were imposed on all prisoners, including unconvicted, if they refused to attend activities.

- 6.45 Some prisoners in our groups described the negative repercussions of refusing work or education, as the rules in the prison did not discriminate between those who were convicted or unconvicted:

'You go on basic if you refuse education. You lose gym, telly, money; you can't spend your money. They put you on report if you don't go.'

'[If you don't do education] you lose your TV and you're banged up all day. They don't tell you this when you come in.'

- 6.46 In our prisoner groups, there was a lack of clarity about the rules. For example, one prisoner said that IEP status was only based on behaviour (*'you just have to be good for 21 days'*); while another in the same group had been told he had to go to education to gain enhanced status. Comments from unconvicted prisoners in all groups clearly illustrated how choosing not to work impaired their ability to gain enhanced:

'You can refuse to work or go to education and they won't put you on to basic or give you an IEP, but you have to be in work or education to get enhanced.'

'If you're not in work or education then you can't get enhanced.'

'If you want to go on to a better wing then you have to work.'

Discipline

Expectation: *Disciplinary procedures are applied fairly and for good reason. Prisoners understand why they are being disciplined and can appeal against any sanctions imposed on them*

- 6.47 Remand prisoners, as shown in Table 13, were no more likely than sentenced prisoners to report having been physically restrained by staff, and fewer remand than sentenced prisoners said they had spent a night in the segregation unit. The likelihood of either was also less for remand prisoners in prison for the first time; only 3% said they had been physically restrained and 6% that they had spent a night in the segregation unit compared with 9% and 11% respectively for those who had been in prison before.
- 6.48 Women who were remanded were less likely than sentenced prisoners to report having experienced restraint or a night in segregation – 3% compared with 6% and 5% compared with 9% respectively. A higher proportion in YOIs reported this, although there was no difference between remanded and sentenced young adults – just under a fifth said they had been restrained and just over a tenth that they had spent a night in segregation.

Table 13: Prisoners' self-reported experience of control and restraint procedures or the segregation unit

| | Remand prisoners | Sentenced prisoners |
|--|------------------|---------------------|
| In the last six months have any members of staff physically restrained you? | 7% | 8% |
| In the last six months have you spent a night in the segregation/care and separation unit? | 9% | 11% |

Substance misuse

Expectation: Prisoners with drug and/or alcohol problems are identified at reception and receive effective treatment and support throughout their stay in custody.

- 6.49 The prison needs to make quick interventions to mitigate the risks for new arrivals who are withdrawing from substances, especially alcohol where, if untreated, withdrawal can be fatal. Table 14 shows that remand prisoners were less likely than sentenced prisoners to report entering custody with a drug or alcohol problem. However, the proportions were still considerable, with over a third reporting a drug problem and over a quarter an alcohol problem. Among remand prisoners, those who were convicted unsentenced had higher levels of substance misuse, with 41% reporting a drug problem and 31% an alcohol problem. Those on remand and in prison for the first time reported lower levels, with 19% having a problem with drugs and 17% with alcohol.
- 6.50 Similar to the overall proportions for remand prisoners, a third (34%) of remanded women reported problems with drugs (34%) and a quarter (27%) with alcohol on arrival in prison. Approximately a quarter of those in YOIs reported drug (27%) and a quarter (24%) alcohol problems, fewer than those sentenced in YOIs (33% and 29% respectively).

Table 14: Incidence of drug and alcohol use on arrival into custody

| | Remand prisoners | Sentenced prisoners |
|---|------------------|---------------------|
| Did you have a drug problem when you came into this prison? | 35% | 39% |
| Did you have an alcohol problem when you came into this prison? | 27% | 29% |

- 6.51 Rather than being detoxified, some prisoners who enter custody with a dependence on class A drugs are stabilised and/or maintained using prescription drugs, such as methadone or Subutex. This enables them to continue maintenance programmes established in the community, which reduces the risk of illicit drug use and further offending. These prescriptions also maintain individuals dependent on a substance who are unlikely to remain in custody long enough to benefit from detoxification, and reduce the risk of a fatality if detoxified prisoners return to the community and take more drugs than their bodies can cope with on release. In

two inspection reports we were critical of prisons for not maintaining remand prisoners, which increased the risk of overdose for those released shortly afterwards. However, the Prison Service has since rolled out the integrated drug treatment system (IDTS), a national initiative that has standardised clinical interventions for drug-dependent prisoners – all now receive a comprehensive clinical intervention, which includes opiate substitute prescribing on a maintenance basis.

- 6.52 As well as clinical services, prisons should also offer educational and psychosocial interventions to prisoners with drug and/or alcohol problems, such as one-to-one counselling, group work and peer support. Three of the five prisons visited during fieldwork ran short duration programmes (SDP) that were available to remand prisoners with substance misuse issues. In one group, remand prisoners said that access to the SDP (developed for prisoners with drug problems serving short periods in custody) relied on the judgments of programme staff about their trials and whether they thought a prisoner would be in the prison long enough to complete it. This process would benefit from being formalised and could be a positive step towards a case management approach to working with remand prisoners.
- 6.53 Counselling, assessment, referral, advice and throughcare services (CARATs) were a national case management model for delivering psychosocial interventions and resettlement support for prisoners with drug and/or alcohol problems which was available in all adult prisons in England and Wales. In our groups, prisoners were reasonably positive about access to these services:
- 'You see the services people and CARATs quickly.'*
- 'When you first come in they tell you, you can go to CARATs.'*
- 'I meet with CARATs every week. Sometimes I've been ill but the meetings are there if you want them.'*
- 6.54 However, in our survey remand prisoners had less awareness of and made less use of the support services for drug and alcohol problems. As shown in Table 15, fewer remand than sentenced prisoners with drug or alcohol problems said they knew who to contact for help, and only two-thirds said they had received some help or intervention. Of the remand prisoners who said they had received help, three-quarters said the intervention had been helpful, although this was fewer than sentenced prisoners (74% compared with 78%).
- 6.55 Remand prisoners who had not been in custody before were less aware of services than those who had; only 61% of those with substance misuse problems, compared with 81%, said they knew who to contact for help, and less than half (49%) said they had received an intervention.
- 6.56 Young adults with substance misuse problems remanded in YOIs were less likely than those sentenced to know who to contact for help (65% compared with 84%) or said they had received an intervention (65% against 81%). In women's prisons, there was better access – 87% of remanded women with substance misuse problems said they knew who to contact for help and 81% that they had received an intervention, although both were still below the responses from sentenced prisoners (93% and 92% respectively).
- 6.57 Table 15 also shows that less than half (48%) of the remand prisoners who told us they thought they would have a drug or alcohol problem on release knew who in the prison could help them contact external agencies for help on release, compared with 64% of sentenced

prisoners. Remanded young adults in YOIs were even less aware, with only 36% of those who said they thought they would have problems knowing who to contact in the prison, whereas although two-thirds (66%) of remanded women said they knew who could help them contact external agencies this was still lower than reported by sentenced women (79%). For remand prisoners who had not been in custody before, only 29% of those who said they thought they would have a problem knew who to contact.

Table 15: Prisoner awareness of and access to drug and alcohol misuse services

| | Remand prisoners | Sentenced prisoners |
|---|------------------|---------------------|
| For those with drug or alcohol problems: | | |
| Do you know who to contact in this prison for help? | 76% | 84% |
| Have you received any help or intervention while in this prison? | 66% | 71% |
| For those who have received help or intervention with their drug or alcohol problem: | | |
| Was this intervention or help useful? | 74% | 78% |
| For those who may have a drug or alcohol problem on release, do you know who in this prison: | | |
| Can help you contact external drug or alcohol agencies on release? | 48% | 64% |

7. Respect

Prisoners are treated with respect for their human dignity

Context

- 7.1 A court's decision to remand a defendant in custody should be kept under review, and new information can result in a prisoner being bailed for the duration of the trial. All local prisons should have legal services or bail information officers to advise on and facilitate bail applications from remand prisoners. PSI 34/2010⁸⁴ stresses the need for effective links between bail services staff and housing advice workers and the BASS scheme to maximise the potential of bail. A mandatory requirement in Prison Service policy is for remand prisoners 'to be allowed all reasonable facilities' to 'prepare for trial'. A more recent study looking at trends in the remand population concluded that: 'prison managers should be required to give greater priority to bail information services'.⁸⁵
- 7.2 Plans are currently underway within the Crown Prosecution Service (CPS) to collate all legal documentation in an electronic central repository, eliminating the use of hard copies of case papers. Establishments have been approached to allow defence advocates to bring in laptops in order to discuss ongoing cases with prisoners during legal visits. At the time of writing it is unclear as to what the implications will be for remand prisoners and their ability to access legal documentation relating to their case or to manage their own cases.
- 7.3 While in custody, as acknowledgement of their status, unconvicted prisoners are afforded entitlements in both legislation and Prison Service policy. These include the right to wear their own clothes and to choose not to work (see Section 2 for all entitlements). The policy of the Prison Service is to permit unconvicted prisoners to share both accommodation facilities and cells with convicted or sentenced prisoners, on the condition that they have consented to do so. This has been disputed by both HM Inspectorate of Prisons⁸⁶ and in the final report of the Zahid Mubarek inquiry, which recommended that the only exception to the Prison Rule 7(2)(b) should be if a prisoner 'consents to share a cell with a particular convicted prisoner, not with convicted prisoners in general.'⁸⁷
- 7.4 There is a higher prevalence of mental health problems in the remand population than among those who are sentenced. For example, an early study found that only 5% of men on remand and 4% of women were free from any form of mental disorder.⁸⁸ A thematic report by HM Inspectorate of Prisons, *The Mental Health of Prisoners*, found that because of a shortage of NHS beds and a lack of community provision, prison had 'become the default setting for many with mental health problems'.⁸⁹ This view was reiterated in recently published government proposals for reform that criticised the use of remand to gain access to health services, which was described as an 'inefficient way to access assessment and treatment' and a 'waste of public money'.⁹⁰

Legal rights

Expectation: Prisoners are fully aware of and understand their sentence or remand, both on arrival and release. Prisoners are supported by the prison staff to freely exercise their legal rights.

Bail information services

7.5 Access to suitable bail information services can have a considerable impact on the number of remanded prisoners who achieve bail at subsequent court hearings. In our inspection reports we found that the quality of services varied across prisons. At the Foston Hall inspection (2009), a quarter of prisoners remanded into custody in 2009 successfully achieved bail, many of whom had had bail information reports submitted by a designated officer who met all new arrivals. At Manchester (2009), approximately half the referrals to specialist bail accommodation during the first six months of 2009 had been successful. However, at Leeds in 2010, none of the bail information officers, and only one of the legal services officers, had received formal training, and although they saw all newly remanded prisoners, few information reports were submitted to the courts. At HMYOI Glen Parva in 2009, a small legal services team aimed to meet prisoners the day after their arrival, but it was noted that many were unaware of the service and many were declined an interview having been assessed as unsuitable. At the time of inspection, 177 prisoners were held on remand and only 18 had received bail in most of 2009. Only one prison in the inspection reports analysed had no designated bail information officer, due to an unfilled vacancy.

7.6 All five prisons visited during fieldwork had designated bail information officers, although at the young adult establishment there was only one officer sufficiently trained and no cover in his absence. At each prison, staff told us that prisoners were seen within a few days of arrival. However, many prisoners in our groups said they were not aware of the bail information officer, although this might have been due to the problems with induction that some reported, as described in the Safety section. Comments included:

'I've been here seven months and I only heard about the bail information officer last week, and that was through my pad-mate.'

'I would definitely have put in to see the bail officer if I knew that it was an option.'

'I can imagine that if people knew there was a bail information officer then they [the BIO] would be rushed off their feet.'

7.7 Some prisoners in our groups said that they were not inclined to apply for bail because they felt it was unlikely to be granted, or did not fully understand the role of the bail information officer and how they could help:

'There is a bail officer here but he's not visible. There's no point putting a bail application in because you're not going to get it.'

'I was sent a piece of paper saying to come down here and see the bail information officer but I didn't bother coming down as I thought that if it was going to happen, then it would happen when I went to court.'

- 7.8 For those for whom bail was an issue, nearly half (47%) of remanded prisoners in our survey said it had been difficult to obtain bail information at their prison. Prisoners in our groups described problems such as an unreliable application process, a lack of communication with bail officers and poor awareness among prison wing staff:

'I spoke to him three weeks ago and he said he was getting on with it [the bail application] and I haven't heard from him since.'

'I've applied to see the bail officer three times now and I've never heard back from him. The apps get lost and they never seem to receive a single one.'

'I'm trying to use the bail information officer and the leaflet says that he can help with your second application. The bail information officer just referred me back to my solicitor and flatly refused to help.'

'I was told there wasn't a BIO but there was a poster saying I could see him.'

- 7.9 Decisions to grant bail often hinge on a prisoner being able to identify or find stable accommodation. Much of a bail information officer's work should be devoted to verifying addresses offered by the prisoner or, where there is none, sourcing suitable accommodation arrangements. One of the five prisons visited reported access to BASS (bail accommodation support service, offering supported accommodation to those undergoing trial), while at another there was frustration from some prisoners at the unexplained delay in gaining access to bail hostels – one prisoner commented:

'I'm meant to be getting a bail hostel. I should have been here two to three days while it was sorted and I've been here two weeks.'

Preparation for trial

- 7.10 To prepare for trial and manage their case, it is important for prisoners to be able to communicate with their solicitors, usually by phone, mail or receiving a legal visit. In our survey and groups, many remand prisoners felt that they were not given the necessary means to manage their court cases from inside prison, mainly due to problems communicating with their solicitors. Prisoners described restrictions on their finances, getting numbers accepted on their phone account and the daily regime as prohibitive to maintaining phone contact with their solicitors:

'I have to go through my daughter to get information from my solicitor because of the times at which the phones are available; I have to phone my family of an evening.'

'If you've got a good solicitor you know what's going on because they send you a letter in. There should be much better access to phones for legal purposes.'

'If you've got the money [keeping in touch with solicitors] is fine. If you're not working or don't have a family outside to send money in then it's hard.'

'I haven't even spoken to my solicitor because I don't know his number so I'll have to wait till I go back to court until I can speak to him again.'

'I've been here 14 days and haven't managed to get my [phone] numbers on.'

7.11 In our survey, nearly half (45%) of remand prisoners who said they had needed to contact their solicitor or legal representative told us they had experienced difficulty trying to do so. In addition, 37% of remand prisoners reported problems in accessing phones, which would affect their ability to communicate with their solicitor. Sixty per cent said it was easy to attend legal visits.

7.12 Nearly half (45%) of remand prisoners said they had experienced problems with sending or receiving mail. As part of security, prisons are able to screen mail for contraband but are prohibited from opening clearly marked legal mail without the recipient present. Over a third (36%) of remand prisoners, fewer than among sentenced prisoners (41%), said that staff had opened their legal mail in their absence. This screening process can lead to delays in prisoners receiving legal mail. For example, one prisoner in one of our groups said:

'My solicitor's letter was kept in the office for weeks and I was lucky to get the letter on the day before, telling me I was due in court the next day.'

7.13 As well as some difficulties in contacting solicitors, prisoners described some disorganisation in the prison facilitating legal processes, which sometimes affected their ability to prepare adequately for court appearances. Comments included:

'They forgot to take someone to court the other day. His appointment had to be rescheduled.'

'You're not told [about your court appearance] in advance. I was pulled out of a pottery class and told I had a video link. You don't have time to prepare.'

'The jail told my solicitor that I'd been released and sent back all my mail that he'd sent me. I didn't get a visit from him for two weeks and he only found out I was still here when I called him.'

7.14 The majority of prisoners in groups said that the library at the prison stocked legal texts for them to use as a reference. However, the usefulness of this was limited by poor literacy for some prisoners and restricted time in the library – only 36% of remand prisoners in our survey said they went to the library at least once a week. In our groups prisoners said:

'Legal books are available in the library but you have to read them over there and you only get 20–30 minutes.'

'Legal books you can only read over there [in the library] but they only take you over there for 10 minutes.'

'I think there are legal books but not everyone can read very well.'

- 7.15 One young adult at a YOI was positive about the support he had received from staff in the library:

'The library's quite good... You can go there and write your solicitor's letters and she'll print them out for you.'

Voting

- 7.16 It is a right of both unconvicted and convicted unsentenced prisoners that they are allowed to vote while held in custody. Two of the five prisons visited had no arrangements to facilitate this entitlement. One prison said it was in the process of putting arrangements in place for forthcoming local elections but was unable to verify whether these had been facilitated for the previous general election. The remaining two prisons said they had facilitated remand prisoners voting at the last election; at one we were told that only a small number of remand prisoners had voted.
- 7.17 The majority of remand prisoners in our groups said they were unaware of their right to vote and, although some indicated they would not have chosen to vote, some said they would have if it had been facilitated. Comments included:

'I didn't know we could vote.'

'Nothing's been mentioned about the referendum. I would want to vote but I haven't been told anything.'

'I'd probably do it here because I've got more time on my hands.'

'We were aware that we could [vote] but it doesn't bother us. I wouldn't know how though. I'm assuming you'd go to an officer and ask them how to do it.'

Residential units and services

Expectations: Prisoners live in a safe, clean and decent environment within which they are encouraged to take personal responsibility for themselves and their possessions. Prisoners are aware of the rules and routines of the prison which encourage responsible behaviour. Prisoners can maintain contact with the outside world through regular and easy access to mail, telephones and other communications. Prisoners are offered varied meals to meet their individual requirements and food is prepared and served according to religious, cultural and prevailing food safety and hygiene regulations. Prisoners can purchase a suitable range of goods at reasonable prices to meet their diverse needs, and can do so safely.

Residential units

- 7.18 There is variation among local prisons in how they accommodate unconvicted prisoners, as Prison Service policy permits discretion to governors in deciding how to manage this. Some

prisons continue to have designated wings allocated to their unconvicted population, and at others there is no distinction based on sentence status and all prisoners are mixed.

- 7.19 As stated in the Background, we found some confusion about how the Prison Rule stipulating that unconvicted prisoners should not share with convicted or sentenced prisoners is understood. Across inspections and fieldwork, there were variations in how this rule was implemented. Our Pentonville inspection report in 2011 made a national recommendation for the Prison Service to clarify its position on the application of Prison Rule 7(2). We were told at all establishments visited for fieldwork that the Prison Service policy is to permit unconvicted prisoners to share both accommodation facilities and cells and take part in activities with convicted or sentenced prisoners, on the condition that they have given consent to do so. This is largely due to practical constraints faced by establishments, especially the rising prison population that in local prisons leads to constant prisoner turnover and the pressure to manage bed spaces effectively. At the YOI visited, it was reported that the remand population fluctuated between 20% and 60% of the total held.
- 7.20 At the five prisons visited for fieldwork, only one had a designated wing for unconvicted prisoners, although fluctuations in population had made this difficult to sustain and this wing often had to accommodate sentenced prisoners also. Therefore, in all the prisons unconvicted prisoners shared cells with those who were convicted, and some in our groups said they were sharing with sentenced prisoners at the time. The YOI used to have designated cells for unconvicted prisoners, but said this had become unsustainable because of the population pressures.
- 7.21 How unconvicted prisoners were asked for their consent to share a cell varied. At one prison, a pro forma to verify the consent of unconvicted prisoners had been abandoned, as, in the event that something happened to the individual, it had been deemed meaningless by legal advisers. At some prisons we were told that unconvicted prisoners were asked if they were willing to share with convicted prisoners. At the women's establishment, senior managers told us that unconvicted prisoners were asked before sharing with a convicted prisoner, but none of the wing staff we spoke with were aware of this entitlement. At another prison, prisoners were asked to sign a pro forma and there was no record that anyone had refused – which seemed unlikely if there had been a transparent and consistent approach to gaining every prisoners informed consent.
- 7.22 Likewise, some inspections reported that there was little evidence that unconvicted prisoners were asked for their consent or that the process was explicit enough to gain their informed consent. The inspection at Peterborough in 2011 found that on both the male and female sides prisoners were asked to provide their consent during their reception interview when they had just arrived in prison; this was judged inappropriate and unlikely to be based on informed consent.
- 7.23 Comments in our groups also indicated a lack of awareness and conflicting views about whether unconvicted prisoners had been asked for their consent to share with convicted prisoners.

'They don't ask about sharing with a sentenced prisoner, just if you want to share.'

'Being convicted or remand doesn't come up in terms of cell sharing. It wouldn't bother us to share with sentenced people.'

'We all share cells. I'm in a four-person dorm; they just chuck you all in together.'

'So should we be given a choice then? Are they supposed to ask you if you want to share?'

- 7.24 Prisoners in our groups had mixed views about sharing accommodation units and cells with convicted prisoners:

'I think remand prisoners should be held separately.'

'So you know where you're at you should have remands kept separate to sentenced prisoners. It's easier for the sentenced prisoner too because then they don't have loads of different pad-mates.'

'They asked me if I minded sharing with a sentenced prisoner and I said I didn't mind.'

'I think it's better to have people mixed as remand prisoners are anxious and on edge. If you're in with a guy who knows how it works and is on a long sentence, then he's more chilled.'

'Sentence status isn't really an issue with sharing, it's more the type of person you're in with.'

- 7.25 In our groups, remand prisoners commonly described receiving fewer facilities and privileges than sentenced prisoners on the enhanced level or holding certain jobs. Results from our survey also supported this, with remand prisoners revealing a poorer perception of their conditions than sentenced prisoners. As shown in Table 16, fewer remand than sentenced prisoners said they were able to shower daily or got clean sheets or materials to clean their cells every week.

- 7.26 In YOIs, only 72% of young adults who were remanded said they could shower every day, comparable to the sentenced population (75%), but only 71%, against 79%, said that they were given clean sheets every week. Remand prisoners in women's prisons were more positive: 84% said they could shower every day and 72% that they were given cell cleaning materials every week, but both figures were lower than reported by sentenced women (90% and 78% respectively).

Table 16: Prisoner access to hygiene and cleaning materials

| | Remand prisoners | Sentenced prisoners |
|---|------------------|---------------------|
| Are you normally able to shower every day? | 75% | 80% |
| Do you normally receive clean sheets every week? | 78% | 80% |
| Do you normally get cell cleaning materials every week? | 60% | 63% |

- 7.27 All cells should contain a cell bell to call staff in an emergency. Only 36% of prisoners, irrespective of their sentence status, said that their cell call bell was answered by an officer

within five minutes. Remand prisoners who had not been in custody before responded more positively, at 41% compared with 34% for those who had been in prison previously.

7.28 In our survey, when asked if the residential units were quiet enough at night to be able to sleep or relax, 61% of remand prisoners said they were, fewer than the 63% of sentenced prisoners. The response was poorer in YOIs where only 47% of remanded young adults, against 52% of sentenced, said it was quiet enough to sleep or relax.

7.29 Access to phones is an important means for prisoners to remain in contact with friends and family in the community, but is often constrained by the prison regime and the availability of funds. Unless they receive money from family or friends outside, a prisoner has to rely on what they earn in prison, which depends on the activity they participate in. As outlined elsewhere, remand prisoners often have fewer opportunities than sentenced prisoners for employment or to gain enhanced status, which affects their regime and income. One young adult in our groups told us he was not receiving any financial assistance from outside and, as he was unemployed, only earned £2 a week, which prevented regular phone contact with anybody. More remand than sentenced prisoners (37% against 30%) said they had problems accessing phones, rising to nearly half (45%) of remanded young adults. Comments from our groups indicated that restrictive schedules and insufficient funds were obstacles to keeping up regular phone contact.

'Phone calls are difficult when your parents are out working all day.'

'Sometimes the phones are locked up during association so you can't use them. Not all the time, it depends what landing you're on.'

'The phones are on 8am to 10am every day and on again at lunch, but if you're banged up all day you can't get to them.'

'You have to spend a lot on phone credit to get a decent conversation.'

7.30 Table 17 shows that a third of remand prisoners had problems accessing phone numbers on arrival in prison. Comments from the groups illustrated the difficulties some prisoners had experienced:

Table 17: Prisoner access to telephone numbers on arrival into prison

| | Remand prisoners | Sentenced prisoners |
|--|------------------|---------------------|
| Did you have problems accessing phone numbers? | 32% | 29% |
| In the first 24 hours, did staff ask if you needed help with: | | |
| Problems accessing phone numbers? | 42% | 42% |

'You get £2 phone credit but if you can't remember the phone number then you can't contact anyone. My friend found me yesterday – she'd been looking for me for nine weeks.'

'It's taken me 13 weeks to get my partner's phone number. I got it last night; she doesn't know I'm here.'

- 7.31 In all five prisons visited, unconvicted prisoners were able to send and receive as many letters as they wished (a mandatory requirement in Prison Rules⁹¹), and were allowed two free letters a week as mandated in the Prison Service policy.⁹² At two prisons, the free letters were not allocated automatically each week – one had ceased to hand them out automatically due to the expense, so prisoners had to ask for them, and at the other, unconvicted prisoners needed to complete an application to receive them.
- 7.32 As with phone calls, the number of letters an unconvicted prisoner could send depended on their available funds to purchase stamps and stationery. Nearly half (45%) of all prisoners said they had problems sending or receiving mail, with no difference between remand and sentenced prisoners. Some prisoners complained about delays in the mail.

Clothing

- 7.33 All the five prisons visited permitted unconvicted prisoners to wear their own clothes, unless there were security implications as set out in the PSO. However, this was implemented differently across prisons, and in some unconvicted prisoners were restricted in their ability to wear their own clothes. At one fieldwork prison, all prisoners downgraded to the basic level of the IEP scheme had to wear prison clothing. At the YOI visited, there was no laundry for those wearing their own clothes so prisoners had to arrange to exchange clothes during visits, if they had support outside.
- 7.34 At the Liverpool inspection in 2009, unconvicted prisoners were not allowed to wear their own clothes when attending activities off the wing (for reasons that were unclear), and at HMYOI Glen Parva (2009), young prisoners had to wear prison-issue clothing during visits. At Nottingham (2010), prisoners had to have three sets of clothes to get permission to wear their own clothes, and remand prisoners who did not arrive with three sets had to wear prison-issue clothes until they could have more brought in through visits. At Preston in 2011, most prisoners, irrespective of their sentence status, had chosen to wear prison-issue clothing because after arriving into the prison there was a limited period in which they could have their own clothes brought into the prison. If prisoners needed more clothes after this time, they were required to buy them from the shop.
- 7.35 Prisoners in groups generally agreed that they were allowed to wear their own clothes but described complicated systems that were prohibitive, and a reliance on a cumbersome applications process:

'[To get clothes sent in] there are so many forms; you have to send out apps, then they send them back to you and then you have to send a letter on to your family or whoever, but my letter and app got separated so the people who wanted to bring stuff in never got the permission letter.'

'I had some clothes sent in but I had to put through five lots of paperwork before I got it.'

'If you want your clothes washed then you have to hand them out on a visit and then wait till your next visit to get them back. If you don't have a visit for three weeks then you run out of clothes.'

'You can't do your own laundry.'

Applications

- 7.36** A functioning applications system that prisoners understand is an imperative, as this is the primary means by which they apply for services or information from prison departments. As remand prisoners can often have immediate needs and spend only a short time in custody, it is especially important to have a speedy and efficient applications system.
- 7.37** As shown in Table 17, a reasonably high proportion of remand prisoners said it was easy to get an application form, and that they had submitted one, but in both cases this was fewer than sentenced prisoners. Only 73% of remanded young adults in YOIs said they had submitted an application, comparable with sentenced young adults. In women's prisons, just over three-quarters (76%) of remanded women said it was easy to get an application form, fewer than the sentenced prisoners (85%).

Table 17: Prisoner experiences of the application process

| | Remand prisoners | Sentenced prisoners |
|--|------------------|---------------------|
| Is it easy to get an application form? | 82% | 85% |
| Have you made an application? | 81% | 87% |

- 7.38** Perceptions of the applications process were poor for all prisoners. About half (51%) of remand prisoners who said they had made an application felt that they were dealt with fairly and less than half (43%) felt that responses were prompt, which were below the responses from sentenced prisoners (56% and 46% respectively).
- 7.39** In groups, many prisoners who said they had tried to submit applications for a wide range of issues expressed frustration with the process:

'There's no belief in the apps system any more.'

'They took my glasses away at the police station and since I've been here I've been putting in apps for three months and I still haven't had my glasses.'

'They don't pass on the security responses to job applications; I've put in four apps and still haven't got a job.'

In-cell activities

- 7.40 It is a right of unconvicted prisoners under the Prison Rules to be supplied with, and be able to keep, 'books, newspapers, writing materials and other means of occupation',⁹³ and under Prison Service policy to have 'items for cell activities and hobbies handed in by relatives or friends'.⁹⁴ All five prisons visited said that prisoners were permitted to have books brought in – one young prisoner said his family had arranged for a newspaper to be sent in every day. Prisoners at one establishment said they could not have stamps brought in so needed to buy these from the prison shop.
- 7.41 Only one of the five prisons visited made special provision for unconvicted prisoners to have items for hobbies and other in-cell activities sent in, as long as they were on their approved in-cell property list. In the rest, prisoners had to buy such items through the prison shop or catalogue. Security arrangements varied across the prisons and this impacted on all prisoners being able to have items for hobbies and in-cell activities sent in by friends and family, especially electronic goods:

'You can't get anything sent in; no books, magazines or CDs. You have to buy them through the prison.'

Food and prison shop

- 7.42 Remand prisoners were more positive than sentenced prisoners about the food in prisons, although the proportion who said it was good was still low (see Table 18). The proportion of remand prisoners who said the shop sold a wide enough range of goods to meet their needs was comparable with sentenced prisoners. Only 16% of remanded young adults in YOIs said the food was good, although this was comparable with sentenced prisoners.

Table 18: Prisoner perceptions of prison food and shop

| | Remand prisoners | Sentenced prisoners |
|---|------------------|---------------------|
| Is the food in this prison good/very good? | 24% | 22% |
| Does the shop/canteen sell a wide enough range of goods to meet your needs? | 45% | 44% |

- 7.43 Prisoners with family or friends outside to support them often have funds transferred in to supplement their prison wage. For convicted or sentenced prisoners, this amount is capped but PSO 4600 states that there should be no such limit on the funds an unconvicted prisoner can have sent in. At all prisons, prisoners in our groups said that there was a very high or no limit on the amount of money that unconvicted prisoners could have sent in by friends or family. The amount they could spend each week at the prison shop (including catalogue items and credit for telephones) was capped at a higher rate than for sentenced prisoners, although the sums varied between prisons. Comments included:

'If you're normal [standard] remand you get £47.50 per week, and if you're enhanced, £51. JR [convicted unsentenced prisoners] get £15.50, exactly the same as sentenced prisoners.'

'There's no limit to the amount of cash you can get sent in but there is a limit on how much you can spend.'

'You can spend your private cash on whatever and you get more canteen. You get £52 per week.'

'I thought [on remand] you just got £47 per week plus your employment money.'

7.44 However, for unconvicted prisoners to benefit from this extra cash entitlement they had to have someone outside to send money in to them:

'If you haven't got much money coming in you're [in trouble].'

'You get £2 from the prison if you're not working. You rely on money from outside but I tried to get a postal order sent in and it took ten days.'

Staff-prisoner relationships

Expectation: Prisoners are treated with respect by staff throughout the duration of their time in custody, and are encouraged to take responsibility for their own actions and decisions.

7.45 In our survey, remand prisoners were just as likely as sentenced prisoners to report they had a staff member to go to for help (see Table 19), but fewer remand prisoners said staff treated them with respect or spoke to them regularly during association.

7.46 In YOIs, fewer remanded young adults than sentenced said they had been treated with respect (61% against 71%), or that they had a staff member to go to if they had a problem (69% against 75%). In women's prisons, there were no significant differences between the response of remand and sentenced prisoners to the staff-prisoner relationship questions. A high proportion of remanded women (78%) said that staff treated them with respect and that they had a staff member to turn to (81%).

Table 19: Prisoner experiences of staff-prisoner relationships

| | Remand prisoners | Sentenced prisoners |
|--|------------------|---------------------|
| Is there a member of staff, in this prison, that you can turn to for help if you have a problem? | 71% | 71% |
| Do most staff, in this prison, treat you with respect? | 67% | 69% |
| Do staff normally speak to you most of the time/all of the time during association? | 15% | 20% |

7.47 In our groups, prisoners said they had to be proactive in approaching staff for help, which not all had the confidence or ability to do, For example, prisoners said:

'To be heard by an officer you've got to be assertive.'

'They won't care, they won't ask; you need to tell them.'

'You're scared to ask the officers because you're making a nuisance of yourself.'

7.48 In our survey, fewer remand than sentenced prisoners said they had personal officers, and remand prisoners were less likely to report having found them helpful (see Table 20). In YOIs, just over half of remanded young adults (54%) said they had a personal officer who was helpful, compared with two-thirds (65%) of sentenced young adults. Sixty-one per cent of remanded women said they had a personal officer, considerably fewer than the 72% of sentenced women, and nearly three-quarters (74%) said they found them helpful.

Table 20: Prisoner access to personal officers and perceptions of helpfulness

| | Remand prisoners | Sentenced prisoners |
|---|------------------|---------------------|
| Do you have a personal officer? | 44% | 52% |
| For those with a personal officer: | | |
| Do you think your personal officer is helpful/very helpful? | 58% | 62% |

7.49 In one of our groups, all the prisoners said they had been given the name of their personal officer but none knew who they were to approach them. Comments in the groups included:

'It says your personal officer's name on the door but I don't even know what it means to have a personal officer.'

'I think your personal officer should come and check up on you; it helps and cheers you up a bit.'

7.50 Remand prisoners have distinct needs that officers on the wings need to be aware of to support them effectively, particularly in relation to their ongoing trials, legal status and additional entitlements. At the prisons visited (with only one with a wing largely designated to unconvicted prisoners), unconvicted prisoners lived alongside convicted prisoners in shared accommodation, and most prisoners in our groups said that wing staff took no account of their legal status and were unlikely to be able to distinguish unconvicted from convicted prisoners on the wing:

'The staff treat us like criminals. The staff don't even know who are remanded and who are sentenced.'

'The staff don't really know if you're remand or sentenced.'

7.51 At the Pentonville inspection in 2011, wing staff gave a variety of responses when asked what the visits entitlement was for remand prisoners. Prisoners in our groups also described a lack of staff awareness of the needs of remand prisoners and the entitlements of unconvicted prisoners, for example:

'Even the nice officers don't know what they can do to help you. There's only so much within their power.'

'My wife changed my solicitor and the new one sent me a form to fill out confirming that I'd sacked my old solicitor, but I can't read or write. I asked an officer and he just told me to fill it out. I just had to do it and hope that I've done it right.'

'They won't do things like get solicitors' addresses.'

7.52 However, some prisons were praised during inspection for having a staff member responsible for identifying remand prisoners who could potentially receive a life sentence – this partly accords with the provision outlined in PSO 4600⁹⁵ for a prison doctor to oversee the supervision of remand prisoners charged with murder. At HMYOI Foston Hall (2009), potential lifers and those facing an indeterminate sentence were identified during remand and seen by a lifer support officer. At Exeter (2009), a lifer trained officer identified all remand prisoners facing an indeterminate sentence and explained the implications to them. At Norwich (2010), potential lifers were identified, but there was no work to monitor their progress and needs while on remand.

Health services

Expectation: Prisoners are cared for by a health service that assesses and meets their health needs while in prison and which promotes continuity of health and social care on release. The standard of health service provided is equivalent to that which prisoners could expect to receive elsewhere in the community.

7.53 In our survey, nearly a third of remand prisoners said they arrived in prison with a health problem, and 62% said they had been asked by staff if they needed help to deal with these. There was no difference between remanded and sentenced prisoners' responses (Table 21). Fewer remanded than sentenced prisoners said they were taking medication at the time of the survey.

Table 21: Self-reported incidence of health problems, support offered during the reception process and medication use

| | Remand prisoners | Sentenced prisoners |
|--|------------------|---------------------|
| When you first arrived did you have any health problems? | 31% | 31% |
| In the first 24 hours did staff ask if you needed help with a health problems? | 62% | 62% |

| | | |
|--------------------------------------|-----|-----|
| Are you currently taking medication? | 46% | 49% |
|--------------------------------------|-----|-----|

7.54 Unconvicted prisoners are entitled under Prison Rules⁹⁶ to have visits from their own GP or dentist in the community, but at their own expense. Although this is reflected in Prison Service policy, four of the five heads of resettlement interviewed had no knowledge of this entitlement, and only the YOI made this entitlement available to prisoners who were unconvicted. The YOI senior manager was aware of this provision because of cases where prisoners had wished to receive a second opinion on a medical matter or it had been arranged by solicitors. Very few prisoners in groups knew of this entitlement, and some felt that had they known, this would have been a viable and preferable option. Examples of comments included:

'It took me three weeks to see a GP and I'm on anti-depressants. If I'd known I could see my GP I'd have been straight on to it.'

'I only live 20 minutes away – my GP would probably come to me.'

'You don't get told that you're allowed to see them [own GP] and a lot of people on my wing probably would have as they have a lot of health conditions. It takes ages to get medication sorted.'

'I'd love to see my own GP because he knows me.'

'I came in and I was taking HRT [hormone replacement therapy] but they stopped it. They said I had to contact my own GP but how would I even do that?'

7.55 As shown in Table 22, fewer remand than sentenced prisoners said it was easy to see the prison doctor or the nurse. Fewer remanded young adults than sentenced (28% against 37%) said it was easy to see the doctor, and only 18% of remanded women prisoners said this was the case.

Table 22: Prisoner access to health care professionals (doctor and nurse)

| | Remand prisoners | Sentenced prisoners |
|---|------------------|---------------------|
| Is it easy/very easy to see the doctor? | 24% | 28% |
| Is it easy/very easy to see the nurse? | 46% | 52% |

7.56 There was no difference between the views of remand and sentenced prisoners on the quality of the health service provided by the doctor or the nurse – they were rated as good by 45% and 57% respectively.

7.57 Some inspections found that access to the dentist or optician was curtailed for remand prisoners. For example, at Norwich (2010), prisoners were only allowed to see the optician if they had served four months on remand or had over four months left to serve as a convicted prisoner. At Woodhill (2009), only restricted treatments were offered to remand and short-sentenced prisoners and we recommended that equitable access be given to all. In our survey,

a low proportion of remand prisoners said it was easy to access the dentist or optician compared with sentenced prisoners (see Table 23).

- 7.58 Fewer young adults remanded in YOIs than those sentenced (10% against 16%) said it was easy to see the dentist, and of those who had been to the dentist, considerably fewer said the quality of care was good (26% against 42%). Remanded women reported similar levels of access to the dentist and optician as sentenced prisoners, although considerably fewer felt the quality of service from the dentist was good (27% against 38%).

Table 23: Prisoner access to health care professionals (dentist and optician)

| | Remand prisoners | Sentenced prisoners |
|---|------------------|---------------------|
| Is it easy/very easy to see the dentist? | 8% | 12% |
| Is it easy/very easy to see the optician? | 9% | 13% |

- 7.59 Table 24 shows that more remand than sentenced prisoners surveyed reported that they had an emotional well-being or mental health issue. In YOIs less than a quarter (22%) of those remanded reported such problems, comparable to responses from sentenced prisoners. The response rose to half (50%) of women remand prisoners, which was higher than that from sentenced women (42%).

Table 24: Self-reported incidence of emotional well-being/mental health issues

| | Remand prisoners | Sentenced prisoners |
|---|------------------|---------------------|
| Do you feel you have any emotional well-being/mental health issues? | 36% | 32% |

- 7.60 Of the remand prisoners with a mental health or emotional issue, 40% said they had not received any help for this – 44% of unconvicted prisoners reported that they had not received any help.
- 7.61 This pattern was not apparent in the young adult population, where considerably more sentenced than remanded young adults (45% against 29%) said they had not received any help. Nearly a quarter (23%) of remanded women, similar to the proportion of sentenced, said they had not received any help.
- 7.62 Fewer remand than sentenced prisoners with mental health issues said they had been seen by a psychiatrist, although more said that they had met a counsellor (see Table 25). The source of help most cited by remand prisoners was the doctor (35%), and 28% said they had received help from the mental health in-reach team.
- 7.63 In YOIs, the percentage of remanded young adults reporting support from different sources was equitable with sentenced prisoners in all areas, except that more remand young adults than sentenced said they had been helped by a nurse (29% compared with 18%). The mental

health in-reach team was the most reported source of support, seen by 36% of remand young adults with mental health issues. Similarly in the women's prisons, reported support was equitable for remand and sentenced women, and 38% said they had seen the mental health in-reach team.

Table 25: Prisoners with emotional well-being and/or mental health issues who were receiving help

| | Remand prisoners | Sentenced prisoners |
|--|------------------|---------------------|
| For those with emotional well-being/mental health issues, are these being addressed by: | | |
| A psychiatrist? | 17% | 20% |
| The mental health in-reach team? | 28% | 29% |
| A counsellor? | 14% | 11% |

7.64 Some prisoners in our groups felt they were not being prioritised and expressed frustration at not being able to access the support they required for their mental health issues:

'I need to speak to someone about my mental health and I've been waiting six weeks.'

'The only time you get to see a counsellor is if you threaten to slash yourself up.'

'The mental health triage won't treat me until I'm convicted. I know it'll be on my sentence plan so I want to get the ball rolling.'

7.65 Some prisoners who receive treatment from physical or mental health services in prison will require ongoing treatment once they are back in the community. As shown in Table 26, the same proportion of remand as sentenced prisoners thought they would have problems accessing health services once released, although fewer said they knew who to go to in the prison for help with this. In women's prisons, less than half the proportion of remand compared with sentenced prisoners (12% against 25%) said they knew who to contact for this help.

Table 26: Prisoner perceptions of accessing health services on release

| | Remand prisoners | Sentenced prisoners |
|--|------------------|---------------------|
| Do you think you will have a problem with accessing health services on release from prison? | 17% | 17% |
| Do you know who to contact in this prison to get help with accessing health services on release? | 11% | 17% |

8. Purposeful activity

Prisoners are able, and expected, to engage in activity that is likely to benefit them

Context

- 8.1 Prison activities should ensure a purposeful use of prisoners' time in custody, with a regime that promotes the acquisition of educational and work skills and encourages law-abiding and responsible behaviour while in custody and on release.
- 8.2 Unconvicted prisoners, due to their status, cannot be compelled to work or attend education, although Prison Service policy stresses that they 'should be encouraged to do so'.⁹⁷ A previous HM Inspectorate of Prisons report described a lack of work spaces, particularly for adult and young adult males who were unsentenced, and education provision that was ill-suited for remand prisoners who might only be in prison for a short time.⁹⁸ In our annual report, it was reiterated that there was too little activity (work, education and training) across all prisons to engage the number of prisoners held', and this lack of spaces was especially prevalent in local prisons.⁹⁹
- 8.3 Not being involved in activities can have a considerable affect on the time that prisoners spend out of their cell. An HM Inspectorate of Prisons thematic report found that in over half the prisons visited, unemployed prisoners received at best less than four hours a day out of their cells, and in worse cases less than an hour.¹⁰⁰ The Prison Reform Trust reported that remand prisoners could be locked in their cells for up to 22 hours a day.¹⁰¹

Activities

Expectations: All prisoners can engage in activities that are purposeful, benefit them and increase their employability. Prisoners are encouraged and enabled to learn both during and after their sentence. The learning and skills and work provision is of a good standard and is effective in meeting the needs of all prisoners.

- 8.4 Unconvicted prisoners do not have to engage in work or education due to their status, but should be able to if they wish. The limitations of prison regimes can discourage unconvicted prisoners from exercising their right not to work or attend education, as in many prisons those not attending activities are instead locked in their cells. One prisoner in our group said:

'If you're not working in the afternoon you're banged up. You're only allowed out if you're enhanced.'

- 8.5 Unemployed prisoners receive only a small weekly allowance and, if they have no financial assistance from outside, may find it very difficult to buy items such as toiletries, stamps, food and tobacco from the prison shop and phone credit to make phone calls. Only a minority of prisoners in our groups said they would not choose to engage with work or education; many

prisoners said they would choose to be involved in work or education to occupy their time and earn money. For example:

'You have to be here six weeks to get on to education or in a job... I told them I'd go mad if I didn't have anything to do and the next day I was on education.'

'Some people need to work and they can't.'

'You get £2 if you're unemployed and you have to spend 50p on your TV. If you haven't got a job then you can't get shower gel or anything.'

8.6 In our survey, a high proportion of unconvicted (40%) and convicted unsentenced (37%) prisoners said they were not involved in any purposeful activity at the time of the survey, more than those who were sentenced (30%). Several inspections reported problems for remand prisoners due to a lack of activity places or because sentenced prisoners were prioritised for places. The inspection at Bristol in 2010 found limited opportunities for work or education for the population; although remand prisoners could work if they wanted to, the prison expected that they would not and staff did not encourage them to do so. At HMP/YOI Foston Hall in 2009, although some prisoners were held on remand for long periods, their education opportunities were more limited than for sentenced prisoners. At Hewell in 2009, sentenced prisoners were prioritised for activity places, with remand prisoners given more access to physical education and association.

8.7 Senior managers at all the prisons visited for fieldwork said that remand prisoners were able to get involved with work or education. In groups, most prisoners expressed interest in engaging in some form of activity, and there was considerable variation in their experience of applications (both across and within prisons). Several prisoners said that education was easier to access than work:

'You can go straight into education.'

'You have to put in a security application to get a job, but you can always do education. You just ask and give it a couple of days and someone will come and see you.'

8.8 However, some prisoners reported problems with accessing education, or particular classes, due to the application process or limited spaces:

'You can't get on education as there are too many people in the class.'

'Education is easy to get involved in but the things you want to do are always full.'

8.9 As shown in Table 27, at the time of being surveyed 27% of remand and sentenced prisoners said they were involved in education, and this was similar for unconvicted prisoners (28%) and convicted unsentenced prisoners (27%). Fewer remand than sentenced prisoners said they were involved in vocational or skills training at the time of the survey, although both figures were very low. Again, there were similar levels of involvement reported by both unconvicted (8%) and convicted unsentenced prisoners (9%).

- 8.10 More remanded than sentenced young adults in YOIs (44% against 33%) said they were currently involved in education, although fewer said they were in vocational or skills training (12% compared with 21%). Forty-five per cent of women prisoners on remand said they were involved in education, similar to the sentenced group (44%), although fewer said they were in vocational or skills training (11% compared with 18%).

Table 27: Prisoners' current involvement in education and/or vocational skills training

| | Remand prisoners | Sentenced prisoners |
|---|------------------|---------------------|
| Are you currently involved in education (including basic skills)? | 27% | 27% |
| Are you currently involved in vocational or skills training? | 8% | 13% |

- 8.11 More remand prisoners reported having been involved in education or vocational skills training at some point in their time at the prison, although the proportion was still lower than for sentenced prisoners (see Table 28).
- 8.12 Almost three-quarters (72%) of remanded young adults said they had been involved in education and just over half (51%) in vocational or skills training while in their prison, although these were still below the responses for sentenced prisoners (79% and 70% respectively). In women's prisons, a high proportion of remand prisoners (86%) said they had been involved with education at some time and nearly two-thirds (63%) that they had received vocational or skill training during their time at the prison, which was comparable with the sentenced women.

Table 28: Prisoners' previous involvement in education and/or vocational skills training

| | Remand prisoners | Sentenced prisoners |
|---|------------------|---------------------|
| Have you been involved in education while in this prison? | 57% | 66% |
| Have you been involved in vocational or skills training in this prison? | 43% | 56% |

- 8.13 Our groups said that it was difficult to acquire a prison job, and this was linked to fewer work opportunities or lengthy waits to apply for work:

'I got a job yesterday for the first time in nine months.'

'They don't pass on the security responses to job applications; I've put in four apps and still haven't got a job.'

'You can't do highly trusted jobs; you have to be sentenced.'

'You can't get any jobs on this side of the prison. Technically I'm convicted but I'm still on the remand side. I should be moved from the remand side to the sentenced side but they won't move me.'

'It's a three to four week wait on average [for a job]; there's no difference in jobs for sentenced and remand prisoners.'

8.14 Prisoners who had been in the prison before said that it was easier for them to get a job as they were known by staff:

'I really like my job here. I found it easy to get a job because I'm known here.'

'If you've been in and out of jail and they know you, you'll get a job quickly.'

'If you get on with the staff it speeds things up in terms of getting a job.'

8.15 In our survey, 60% of remand prisoners said they had been in employment during their time at the prison, and just over a third said they were in employment at the time of being surveyed. As shown in Table 29, remand prisoners were less likely to report having had a job than sentenced prisoners. Within the remand group, a similar proportion of unconvicted and convicted unsentenced prisoners said they had been in employment or had a job when surveyed.

8.16 Just over half (54%) of remanded young adults in YOIs said they had been in employment at the prison, considerably fewer than sentenced prisoners (74%), and similarly, fewer said they were in a job currently (28% against 39%). A relatively high proportion (77%) of remanded women said they had had a job at some point, although less than half (47%) said they were in a job currently, fewer than the sentenced women (63%).

Table 29: Prisoner involvement in work opportunities

| | Remand prisoners | Sentenced prisoners |
|---|------------------|---------------------|
| Are you currently involved in a prison job? | 36% | 46% |
| Have you had a job while in this prison? | 60% | 71% |

Time out of cell

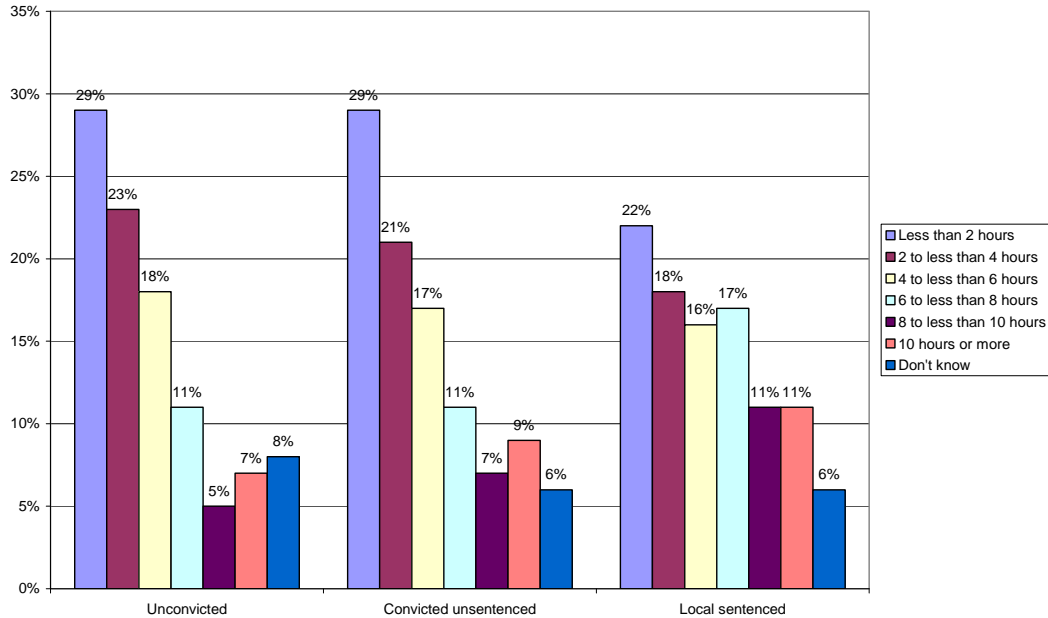
Expectation: All prisoners are actively encouraged to engage in activities available during unlock, and the prison offers a timetable of regular and varied activities.¹⁰²

8.17 In our survey, almost a third (29%) of remand prisoners (both unconvicted and convicted unsentenced prisoners) reported that they normally spent less than two hours out of their cell each day. Only 42% of all remand prisoners said they spent more than four hours out of their cell each day. Few prisoners, irrespective of sentence status, reported 10 or more hours out of

their cell on a weekday. Figure 7 shows only that only 7% of unconvicted prisoners reported this.

- 8.18 Time out of cell was slightly better in women’s prisons, with 15% of remand and sentenced women saying they spent more than 10 hours out of their cell each day.

Figure 7: Self-reported time out of cell



- 8.19 Time out of cell was poorest for those not involved in activities. In our survey, 76% of unconvicted prisoners who said they were not involved in any activities at the prison spent less than four hours out of their cell; this pattern was similar to that reported by both convicted unsentenced (72%) and sentenced prisoners (72%). This was supported by those in our groups, except in the YOI where there was reasonable provision of association, outside exercise and other activities, such as gym, for prisoners not involved in activities. Comments from prisoners included:

'If you're not working or in education then you're behind your door.'

'If you're not employed or in education then you're only out for association – twice a week for an hour.'

'If you're not in work or education you don't get anything; an hour out in the morning and association twice a week.'

'They let you out for breakfast, lunch and dinner and after dinner your cell's open for an hour. Any time apart from that, you're banged up.'

- 8.20 If a prisoner is not working or in education, association can often be the only substantive period that they spend outside their cell and the only time they have to shower and make phone calls. Table 30 shows that remand prisoners were less likely than sentenced prisoners to say they had association more than five times a week – reducing to 39% for unconvicted

prisoners. Four per cent of remand prisoners said they did not receive any association, and 13% that they only had association once or twice a week.

Table 30: Self-reported time spent out of cell

| | Remand prisoners | Sentenced prisoners |
|--|------------------|---------------------|
| On average, do you go on association more than five times each week? | 44% | 52% |

8.21 More remand than sentenced prisoners said they went outside for exercise three or more times a week (Table 31), although low numbers in both groups (41% and 39% respectively) reported this. A similar proportion of remanded women (42%) reported this, although more than half (53%) of those remanded in YOIs said they had exercise three or more times a week.

8.22 Remand prisoners said they went to the gym less regularly than sentenced prisoners (Table 31). In the YOIs and women’s prisons, there was no difference between remand and sentenced prisoners – about half and just over a third respectively said that they went to the gym two or more times a week. At one inspection (Holme House, 2010), where most prisoners had access to the gym up to five times a week, remand prisoners who chose not to work were limited to a single session weekly.

8.23 Table 31 also shows that just over a third of both remand and sentenced prisoners said they went to the library at least once a week. Similarly, about a third (31%) of remanded young adults said they attended the library this regularly. In women’s prisons, 44% of remanded women reported this, although this was still lower than the 51% response from sentenced women. Some prisoners in our groups were frustrated by their lack of access to the library or the limited time they had there:

‘They never come to get you for the library; I’ve only been there once in four months.’

‘I’m only there [the library] for 15 minutes.’

As mentioned previously, this lack of time in the library affected access to legal books.

Table 31: Prisoner access to exercise, gym and the library

| | Remand prisoners | Sentenced prisoners |
|--|------------------|---------------------|
| On average, do you go outside for exercise three or more times a week? | 41% | 39% |
| Do you go to the gym at least twice a week? | 40% | 42% |
| Do you go to the library at least once a week? | 36% | 36% |

9. Resettlement

Prisoners are prepared for their release back into the community and effectively helped to reduce the likelihood of reoffending.

Context

- 9.1 Remand prisoners, unless they go on to receive a sentence of 12 months or more, are not subject to probation supervision on release. Therefore, resettlement work for this group often depends on what the prison provides. The Prison Service is altering the structure and broadening the scope of offender management in prisons, so from April 2012, offenders sentenced to 12 months or more will be offender managed and allocated varying levels of resource on the basis of identified risks and risk of reoffending. From April 2013, this is due to be extended so that all sentenced offenders will be 'in scope' for offender management and will be allocated varying levels of resource on the basis of identified risks and risk of reoffending. However, these arrangements will continue to exclude remand prisoners, who will not receive the case management and oversight provided by offender supervisors, and any arrangements for them will be subject to each prison's priorities and initiatives.
- 9.2 Various research demonstrates¹⁰³ that remand prisoners enter prison with a range of issues that need to be addressed. Resettlement work with remand prisoners is difficult as they do not have a set date of release, which depends on trial outcomes. There is a high prevalence of housing problems among prisoners remanded to custody. A report by the Social Exclusion Unit (SEU)¹⁰⁴ in 2002 echoed the findings of *Unjust Deserts*, noting specifically that individuals on remand were more likely to have been living in unstable accommodation before imprisonment – those who had accommodation were more likely to lose this on being remanded into custody, and less likely to have somewhere to live on release. Remand prisoners who were in employment before custody are more likely to lose their jobs on entering custody,¹⁰⁵ and it can take several weeks after release before benefits are established and they receive this money. National Prison Service policy stipulates that if a person is found not guilty they are not eligible for the standard prison discharge grant of £46,¹⁰⁶ and having been found not guilty, few are compensated for this disruption to their lives.¹⁰⁷
- 9.3 To help remand prisoners maintain their lives in the community during a trial, they have certain entitlements to state benefits while in custody. To retain their housing, unconvicted prisoners can currently claim housing benefit for up to 52 weeks. Prisoners who have been convicted and can expect to serve 13 weeks or less in prison are also able to receive housing benefit for that period, although if a 13-week period has already been spent on remand before conviction, benefits will be stopped.¹⁰⁸ These rules apply to both pre-existing and fresh claims made after entering custody. Individuals with a mortgage who are remanded into prison can also be eligible to apply for mortgage interest payments while in custody.¹⁰⁹ Some women also have an ongoing entitlement to receive child benefit while in prison.¹¹⁰
- 9.4 The SEU report proposed that more work with remand prisoners might help to address the difficulties and time constraints for working with prisoners who go on to receive short custodial sentences.¹¹¹ It described the lack of structured intervention for remand prisoners as a 'wasted opportunity' for undertaking work to prevent future offending behaviour, and found there was

inadequate support for this prisoner group:

*'There is no requirement to prepare a sentence plan for remand prisoners and consequently little use is made of their time in custody. As a result remand prisoners often miss out on services available to help them for release.'*¹¹²

- 9.5 In acknowledgement of their status, the Prison Rules stipulate that unconvicted prisoners should be allowed to receive as many visits as they wish.¹¹³ Prison Service policy therefore permits unconvicted prisoners extra visiting privileges to help them maintain contact with friends and family, including being able to book visits without the restrictions of allocated visiting orders, and a minimum entitlement of three one-hour visits a week.¹¹⁴ Research has found that 48% of remand prisoners had lost contact with their families since they had been in prison.¹¹⁵ The Prison Reform Trust found that one in four remanded men received no visits from their family, although this rose to half of remanded women.¹¹⁶

Strategic and case management

***Expectations:** Planning for a prisoner's release starts on their arrival at the prison. Resettlement underpins the work of the whole prison, supported by strategic partnerships in the community and informed by assessment of prisoner risk and need. Good planning ensures a seamless transition into the community.*

All prisoners, including those on remand or serving short sentences, have a custody plan that includes targets to address identified resettlement needs. These targets are monitored and reviewed until the point of release.

- 9.6 Several inspection reports noted that establishments did not have a resettlement strategy that set out the distinctive needs of remand prisoners. Some that had conducted an analysis of the resettlement needs of their population or had a strategy had excluded remand prisoners from these, although this group comprised a large proportion of their population. For example, Forest Bank (2011) had a broad strategy document but this did not include remand prisoners, although they made up half the population. There was a resettlement strategy at Peterborough (2011) but this was not based on an analysis of the needs of the population and did not detail the differing needs of unconvicted prisoners.
- 9.7 As shown in Figure 2 in Section 4, many remand prisoners had been in custody previously and our findings throughout this section indicate a high prevalence of welfare needs reported by prisoners. In addition, Figure 1 in Section 4 showed that remand prisoners could be held in custody for considerable lengths of time, and it continued to be a wasted opportunity for prisons not to address the resettlement needs of this large group of prisoners from the point of their arrival into custody.
- 9.8 At all sites visited for fieldwork, the resettlement needs of remand prisoners were assessed, in one form or another, during their first few days in custody. However the outcome, if any, of the initial assessments was not always clear. Remand prisoners often arrived with multiple and complex needs, and in our survey more remand than sentenced prisoners said they had problems such as housing, money worries and ensuring dependants were looked after on arrival. When asked about arrangements for their welfare on their release, remand and

sentenced prisoners showed little variance in the problems they expected to face. More remand prisoners expected to have housing problems on release (39% against 37%). Nearly a third of both remand and sentenced prisoners expected problems with money (29%) and claiming benefits (30%) on release, and nearly half of remand prisoners (45%) that they expected problems finding a job (fewer than the 49% of sentenced prisoners). Only just over a third of remand (38%) and sentenced prisoners (35%) said they did not expect to have any resettlement problems on release.

- 9.9 There are additional factors for women, as many who enter prison have experienced physical, sexual or emotional abuse¹¹⁷ or might have been street workers in the sex industry. Prison reception staff need to be sensitive and able to identify these issues so that women can be referred to the available support services. One woman in our groups felt she had not been asked enough about her experience and needs when she arrived, and reported the difficulty of being confronted with a high number of male officers:

'They don't ask you about the experience you've had outside when you get here and it can be made difficult if you've experienced abuse and there are lots of male officers.'

- 9.10 Inspections have noted insufficient follow up to address identified needs. At HMYOI Reading (2009), the needs of remand prisoners were assessed and identified, but there were no targets set and no coordinated assessment of progress against their identified needs. Similarly, at Leeds (2010), needs were assessed and referrals made using a resettlement passport system, but this was not accompanied with a clear plan or any means to track whether identified needs were met.
- 9.11 In the majority of prisons inspected there were limited or no remand or custody planning arrangements for remand prisoners. However, a few did have remand or custody planning for remand prisoners in which, as well as the initial assessment of needs on arrival, support was structured and coordinated by an allocated case manager until their release. For example, at Exeter (2009), which was piloting layered offender management at the time, offender supervisors assessed all remand prisoners and made appropriate referrals where needs were identified. Completed interviews formed the basis of a custody plan, given to each prisoner, which outlined the needs identified during assessment, to whom referrals had been made and the name of the offender supervisor. In London, the local prisons introduced a standardised tool – London initial screening and referral, (LISAR) – for assessing needs and structuring support. At Brixton (2010) custody plans were produced based on the LISAR assessment, but recent inspections at some other London locals have found that custody planning was not part of this process for remand and short-term prisoners. None of the prisons visited during fieldwork had custody planning arrangements for remand prisoners.
- 9.12 At a small number of inspections we found that a prison had allocated some of its offender management unit (OMU) resources for the initial assessment of the needs of remand prisoners and producing remand management plans. Doncaster (2010) had a well-resourced OMU and all remand prisoners were assigned an offender supervisor who produced plans that were a referral to resettlement agencies. HMYOI Feltham (2009) had similar arrangements, and custody plans were drawn up and reviewed after four months while the young adult was in custody.

- 9.13 It is a concern that the few examples of good practice found during inspections related to the involvement of staff in OMUs, and remand prisoners are due to be excluded from the new offender management structure.
- 9.14 One prison visited during fieldwork was piloting the layered offender management model. This had initially included remand prisoners, who had received basic custody screening on arrival up until early 2011. The prison reported that since the shift in NOMS policy to remove remand prisoners from the remit of offender management, it had not been possible to sustain these arrangements due to a lack of resource. Another fieldwork prison involved with the offender management pilot had chosen, and been able to continue, to incorporate remand prisoners, largely because of an integrated offender management model that targeted short-term prisoners with a high risk of reoffending. The head of resettlement had judged it to be a missed opportunity to ignore the potential offending-related needs of those held on remand for what can be many months (this related to individuals with records of previous offending behaviour).
- 9.15 In the absence of a national model for structuring and delivering resettlement work for remand prisoners, some establishments have assigned the responsibility for coordinating this to personal officers on the wings. This was the case at some prisons inspected, and was often judged inadequate. At Swansea (2010), senior managers expected personal officers to complete a custody plan with all unconvicted prisoners within 14 days of their arrival, but none of the senior officers or personal officers spoken to were aware of this. Similarly, at Wandsworth (2011), personal officers were expected to be responsible for delivering outcomes that arose from initial screening, but they were found to play no active role in this. At Preston (2009), custody plans were produced and placed in the prisoner's wing file, with the understanding that staff would check that targets were being completed, but no one had been assigned specific responsibility for doing this. It is of note that prisons are no longer required to have personal officer schemes,¹¹⁸ therefore at many establishments it will no longer be viable to use personal officers to deliver custody plans.
- 9.16 Where there is no systematic case management to follow up initial assessments, there is no coordination of the work in different areas (such as housing and substance misuse) to address the potentially complex issues faced by remand prisoners. The result can be that resettlement services work in isolation of one another, or that no work is completed unless prisoners can link in to services themselves. The latter relies on prisoners being aware of available services and able to access them. Comments from our groups illustrated this:
- 'There are people for all the things that you need; you've just got to find them, which can be a bit hit and miss.'*
- 'The same facilities are there whether you're remand or sentenced; it's all off your own back.'*
- 'No one comes to your door and tells you "this is the person".'*
- 'You've got to be proactive [to access services]. If you seclude yourself you're not going to get anywhere.'*
- 9.17 The application process is one of the main ways for prisoners to access many of the information and services available. As described in Section 7, remand prisoners were less likely to have submitted an application form or to have found it easy to access them. Another barrier can be prisoners' limited awareness of the resettlement services. Induction is often the

only means for communicating information to prisoners about the support services available. This was illustrated by comments in our groups:

'Induction is the only point at which you're told "this is what's available".'

'If you're not paying attention in induction you won't get told again.'

- 9.18 Section 6 described the problems with prisoners' experience of induction and how much they were able to absorb. In our survey, remand prisoners were less likely to know who to go to for help in every area of resettlement (see Appendix II). When asked about a range of potential needs, two-thirds of remand prisoners said they did not know who to contact for help in any of them, compared with 55% of sentenced prisoners (Table 32). Knowledge of the support available to them was poorer still among those in prison for the first time.
- 9.19 Nearly two-thirds of remanded young adults in YOIs had no awareness of any resettlement services (63%). This was less prevalent, but still poor, in women's prisons with just under half having no knowledge of any resettlement services (46%).
- 9.20 Some inspection reports had examples of wing staff who were also unaware of resettlement services. For example, at Bristol (2010), some wing staff were unable to assist prisoners as they did not know the resettlement services available and how to access them. These factors exacerbate the difficulties a prisoner faces when trying to get support independently.
- 9.21 Very few in our survey, regardless of their sentence status, felt they had been helped by staff to prepare for release. Table 32 shows that fewer remand than sentenced prisoners said a member of staff in the prison had helped them. Only 14% of remanded young adults in YOIs, compared with 22% of sentenced, said they had been helped. There was a similar response from remanded women, with fewer feeling they had been helped – 16% against 27% for sentenced women.

Table 32: Prisoner preparation for release

| | Remand prisoners | Sentenced prisoners |
|---|------------------|---------------------|
| Do you feel any member of staff has helped you to prepare for release? | 10% | 16% |
| Do you know who to contact within this prison to get help with the following resettlement areas? | | |
| Don't know who to contact for any resettlement area. | 66% | 55% |

- 9.22 Arrangements to ensure plans for prisoners' release were patchy, both within and across local establishments irrespective of whether a prisoner was sentenced or not. For example, at the HMYOI Brinsford inspection in 2009, there were no pre-release meetings, and at Liverpool (2009), all prisoners were expected to be interviewed three weeks before release but interviews were often held too late to be effective or did not happen. At Belmarsh (2011), all prisoners were invited to a pre-release board but there was no link with their initial assessments. Planning for a remand prisoner's release is particularly difficult, as they do not have a determined release date (although this could be mitigated by closer monitoring of their

scheduled court proceedings and dates), and where there is no active case management. The unpredictable nature of a remand prisoner's time in custody reinforces the importance of early initial assessments, signposting and planning.

Reintegration planning

Expectation: Prisoners' resettlement needs are addressed prior to release. An effective multi-agency response is used to meet the specific needs of each individual prisoner in order to maximise the likelihood of successful reintegration into the community.

- 9.23 Entering custody, regardless of sentence status, disrupts an individual's life in the community, and can be sudden and unexpected for those remanded. A previous HM Inspectorate of Prisons report found that between a third and two-thirds of unsentenced prisoners did not expect to have been remanded into custody.¹¹⁹ Comments from prisoners illustrated how disruptive and disorienting being remanded into custody can be:

'All the girls in this room are in the same situation. I came straight from the police station to here and I was like, "what the hell am I doing in [prison name]".'

'I was surprised [to be remanded]; I've kept out of trouble for years. I've got six kids to be fed.'

- 9.24 Remand prisoners require help on arrival and during their time in custody to minimise the impact of imprisonment and to ensure they have accommodation and work or education on release and that contacts with family and friends are maintained. Findings related to resettlement in the areas of substance misuse and health services are described earlier in the report under related sections.

Accommodation

Expectation: All prisoners have suitable, sustainable and safe accommodation arranged prior to their release.

- 9.25 Prisoners arriving into custody can come with a range of problems with housing – they might have been homeless or in unstable accommodation before entering custody so face being homeless on release, they might have housing that they do not wish to lose as a result of their imprisonment or a tenancy they need to close down to prevent debt accruing. Table 33 shows that in our survey more remand than sentenced prisoners said they had housing problems on arrival (rising to 29% for unconvicted prisoners). In YOIs, 26% of remanded, compared with 20% of sentenced, young adults said they had housing problems when they arrived in prison, as did nearly a third (30%) of remanded women.
- 9.26 Accommodation issues need to be identified on arrival to support remand prisoners to maintain current housing, close down tenancy arrangements to prevent debt or begin to arrange accommodation for their release. Although better than reported by sentenced prisoners, only a third of remand prisoners said they had been offered support with housing in the first 24 hours

of their arrival (see Table 33). Thirty five per cent of remanded young adults said they were offered this help and 38% of remanded women.

Table 33: Incidence of housing problems among prisoners on arrival in prison and support offered during reception

| | Remand prisoners | Sentenced prisoners |
|--|------------------|---------------------|
| When you first arrived did you have any housing problems? | 27% | 25% |
| In the first 24 hours, did staff ask if you needed help/support with housing problems? | 33% | 29% |

9.27 Although unconvicted prisoners have the right to maintain their existing accommodation while awaiting trial, less than a third (32%) of unconvicted prisoners said they had been asked if they needed help with housing during their first 24 hours in prison, as did just over a third of young adults (36%) and less than half of unconvicted women (42%).

9.28 Remand prisoners are entitled to specific housing benefit while in custody, according to whether they are unconvicted or convicted unsentenced, to help maintain existing accommodation. However, prisoners in our groups lacked awareness of this entitlement or how to arrange this:

'I've not heard about any of that [regarding benefits] and I've had to declare bankruptcy.'

'If you don't know that these people exist [support services] why would you try and access them?'

'You have to know who to go to. And that's through word of mouth with prisoners who know the system.'

9.29 Prisoners in groups also expressed frustration at delays in accessing housing services in prisons, which caused or worsened housing problems. They described this delay, particularly in the women's groups, as due to the slow and unreliable applications process. Comments included:

'Housing advice is there for you to go to but it takes too long; you could be homeless before you get any help.'

'This housing thing could have been dealt with weeks ago if I'd had help or information earlier. All the while I'm accruing arrears because I can't get it sorted. Why wait this long to tell me I've lost my house and that I owe this much money? Now I can't do anything about it.'

'I've put in eight applications to see if my rent's being paid – just to ask. The council won't even tell my old dear if my rent's being paid when she's been to ask.'

9.30 In some inspection reports there was evidence that services were not sufficiently resourced to address the housing needs of the population. At Pentonville (2011), the housing service was

found to be inadequate, and unable to respond to all the applications and referrals made. At a YOI visited for fieldwork, holding 66 remand prisoners, there was one trained staff member but no cover for his absence. However, there was variation across establishments. An adult male prison visited had a resettlement team trained in housing benefit, with a focus on the continuation of tenancies. At the Woodhill inspection in 2009, one of the two housing services was devoted to addressing the housing needs of remanded and short-sentenced prisoners (those serving less than 12 months).

- 9.31 Table 34 shows that more remand than sentenced prisoners in our survey thought finding accommodation on release would be a problem. However, fewer remand than sentenced prisoners knew who to contact for help finding accommodation on release. Only 18% of unconvicted prisoners knew who to contact for support.
- 9.32 In YOIs, considerably more remanded than sentenced young adults (39% against 26%) said they would have housing problems on release, although only 22% knew who to contact for help. Remanded women had a similar level of housing need on release, rising to 41% for unconvicted prisoners. Again, fewer remand than sentenced women (30% against 44%) knew who to contact for help.

Table 34: Prisoner perceptions of potential housing problems on release and awareness of support in the prison

| | Remand prisoners | Sentenced prisoners |
|--|------------------|---------------------|
| Do you think you will have a problem with finding accommodation on release? | 39% | 37% |
| Do you know who to contact within this prison to get help with finding accommodation on release? | 20% | 28% |

- 9.33 It is of note that whereas less than a third (29%) of unconvicted prisoners reported housing problems on arrival in prison, nearly two-fifths (39%) of unconvicted prisoners expected problems with accommodation on release.
- 9.34 Arranging accommodation for remand prisoners on release is problematic as they do not have a set release date. Housing providers often have limited bed spaces and lose income if these are not filled, so are reluctant to take referrals for prisoners with no specified and guaranteed date of release. Prisoners in our groups acknowledged the problems faced by housing services working with prisoners with no fixed date of release:

'It's not the housing officer's fault that people don't have accommodation sorted, it's the Prison Service as a whole. You just get told they can't do anything 'cos they don't know when you're going to be getting out.'

'They don't know what the judge is going to say; the prison can't really do anything because you don't know when you'll get out.'

- 9.35 Of concern were those services that excluded remand prisoners for this reason. The Nottingham inspection (2010) found that although remand prisoners comprised a large proportion of the population, those facing homelessness were given no assistance to find

accommodation as providers would not accept referrals without a release date. A woman in one of our groups had applied to see the housing service at her prison and had the response that applications were 'prioritised according to date of release and whether [they] need to claim housing benefit'. She was also told that the service would only arrange to see her once she was sentenced, and that she would get an information leaflet if she were to be released from court.

Employment, training and education

Expectation: When transferred or released, prisoners enter appropriate education, training or employment.

- 9.36 In our groups, only a minority of remand prisoners said they had been in employment before prison. Those who had employment described the lack of means, or timely support, to make arrangements with employers:

'I got struck off the register for work when I came to prison even although I've not been convicted of anything yet. I haven't been able to challenge this decision in here and now I'm going to be unemployed when I come out.'

'The prison didn't do anything to contact my employers and I've more than likely lost my job.'

In our survey, 7% of remand prisoners said they faced problems contacting employers on arrival.

- 9.37 The Prison Service Order stipulates an entitlement for all unconvicted prisoners to be able to maintain their business activities in the community. At three of the five establishments visited, senior managers said they did not know of this entitlement, and neither manager at the other two sites could recall any previous request for this support. Most establishments stated that if a prisoner asked for support to maintain a business it might be granted, depending on the requirements. The right to receive this support was not promoted at any establishment. In our groups there were some prisoners who might have benefited from this support had it been offered:

'I run my own business but I've done nothing about my business, I've just had to leave it.'

'My mate, my brother and my father are running it; it's [problems] contacting the outside world enough to get things sorted.'

'I'm self-employed and you don't get any help.'

'I'm still running my own company, but not with any help or provision from the people here. They're probably not even aware of it.'

- 9.38 Many prisoners require support to find employment on release. As shown in Table 35, fewer remand than sentenced prisoners thought they would have problems getting a job on release, although this was almost half in both groups. Remand prisoners were less likely to know who to turn to for help – even fewer unconvicted prisoners (16%) knew who to contact for help.

- 9.39 Half (50%) of the remanded young adults in YOIs thought they would have problems finding a job on release, and only 19% said they knew who to contact, compared with 25% of sentenced young adults. Similarly, fewer female remand prisoners than sentenced knew who to contact for help (24% against 33% of sentenced).

Table 35: Prisoner perception of potential employment problems on release and awareness of support in the prison

| | Remand prisoners | Sentenced prisoners |
|---|------------------|---------------------|
| Do you think you will have a problem with finding a job on release? | 45% | 49% |
| Do you know who to contact within the prison to help with finding a job on release? | 18% | 24% |

- 9.40 During fieldwork, we found that employment advice was provided through Jobcentre Plus at one prison, and another had a job link officer who helped prisoners to sustain existing employment arrangements until they were released.
- 9.41 Reported problems with arranging education on release were less prevalent than finding a job (see Table 36), and although low in both groups, fewer remand than sentenced prisoners said they knew who to go to for help to arrange this. Arranging education on release was more of a concern for those remanded in YOIs and women's prisons – 28% and 29% respectively thought this would be a problem. Less than a fifth (18%) of remanded young adults, similar to those who were sentenced, knew who to contact for help, as did only 12% of remanded women, compared with a quarter of sentenced women.

Table 36: Prisoner perception of access to education on release and awareness of support in the prison

| | Remand prisoners | Sentenced prisoners |
|---|------------------|---------------------|
| Do you think you will have a problem with arranging a place at college/continuing education on release? | 19% | 19% |
| Do you know who to contact within the prison to help with arranging a place at college/continuing education on release? | 10% | 15% |

Finance, benefit and debt

Expectations: Prisoners with financial commitments/problems are identified and receive effective advice and support to manage them while in custody. Prisoners have the opportunity to gain the knowledge and skills required to manage their finances adequately in prison and on release.

9.42 Table 37 shows that over a quarter of remand prisoners arrived in custody with concerns about money, compared with a fifth of sentenced prisoners. Less than a fifth of both remand and sentenced prisoners said they had been asked by staff if they needed help with money problems.

Table 37: Financial concerns on arrival into prison and support offered during reception

| | Remand prisoners | Sentenced prisoners |
|--|------------------|---------------------|
| Did you have any money worries when you arrived? | 26% | 20% |
| In the first 24 hours did staff ask if you needed support with money problems? | 17% | 17% |

9.43 As previously outlined, both unconvicted and convicted unsentenced prisoners have specific benefit entitlements to help maintain their life in the community while they are held on remand. However, prisoners in our groups were not aware of this provision. There was some evidence from our groups to support the findings in other studies that many prison staff were unaware of remand prisoners' entitlement to receive ongoing housing benefit payments, and consequently prisoners had been discouraged from applying.¹²⁰ Comments included:

'I was working before I came in. I wasn't claiming benefits but now I'm getting into debt because I can't sign up to benefits, or didn't know that I could.'

'I was told I couldn't call the housing benefits people as I might try to defraud them by claiming whilst I'm in prison.'

'I gave the benefits man my NI number and he said all my benefits would stop because you're told you don't need money as you're fed and housed in here.'

9.44 When individuals enter custody they often need to make arrangements with a range of financial service providers about existing agreements, such as direct debits and loan obligations. Prisoners said they had difficulty with this because of the restriction of the prison regime and access to letters and phones, particularly during office hours. Participants in our groups reported varying degrees of support:

'I got a £700 phone bill as I'd signed into a 24-month contract that I had to cancel four months in, so I got the bill for the full term. The company wanted a letter with headed prison paper to prove I was in custody and the prison said they wouldn't do it.'

'The prison sent a letter to cancel all my direct debits.'

'My car insurance has just been left; I'll have to sort it when I get out.'

'My housing benefits people phoned and asked for me to call them but I couldn't. I only have 10 phone numbers and that would have meant I'd have to take one of my family numbers off. Plus, the office is only open Monday until Friday and is only open for office hours.'

'I need to call the bank. The officer said, find out the bank's number, add it to my phone list and only then can I call them.'

- 9.45 Table 38 shows that 29% of both remand and sentenced prisoners in our survey expected to have problems with finances on release from prison, although fewer on remand knew who to go to for help with this problem.
- 9.46 In women's prisons, more remand (38%) than sentenced women (27%) expected they would have problems with their finances and, as with every aspect of resettlement, remand prisoners were less likely than sentenced to know who to contact for help, 17% compared with 28%.

Table 38: Prisoner perception of potential financial problems on release and awareness of support in the prison

| | Remand prisoners | Sentenced prisoners |
|---|------------------|---------------------|
| Do you think you will have a problem with money/finances on release from prison? | 29% | 29% |
| Do you know who to contact within this prison to get help with money/finances on release? | 11% | 16% |

- 9.47 In the young adult group, we were told the YOI had a savings facility to enable young adults to save the money they earned for release, and they could also transfer funds to family and friends in the community if they wished.
- 9.48 A recent study reported that a third of people in prison did not have a bank account,¹²¹ which can hinder or preclude their access to other financial services. As shown in Table 39, fewer remand than sentenced prisoners thought opening an account would be a problem, but fewer knew who they could contact for help.
- 9.49 Only 5% of remanded women, compared with 20% of sentenced, knew where to get help with opening an account, although a quarter (25%) thought this would be a problem for them once released.

Table 39: Prisoner perceptions of problems opening a bank account on release and awareness of support in the prison

| | Remand prisoners | Sentenced prisoners |
|---|------------------|---------------------|
| Do you think you will have a problem with opening a bank account on release from prison? | 25% | 27% |
| Do you know who to contact within this prison to get help with opening a bank account on release? | 9% | 14% |

- 9.50 Table 40 shows that nearly a third of both remand and sentenced prisoners thought claiming benefits on release would be a problem, but fewer remand prisoners knew who to contact for help with this. As in most areas, remand prisoners in prison for the first time were less likely than those who had been in before to know who to contact for help (14% compared with 23%).

Research has found that on release there can be delays of up to four weeks to receive payments from fresh claims,¹²² which can leave prisoners with no money to support themselves during this period. One prisoner in our groups commented:

'If you're not found guilty, you don't have a house, you can't go to the council and benefits take weeks. You won't be seeing probation anyway.'

- 9.51 In YOIs, 29% of remand young adults thought they would have problems claiming benefits on release compared with 24% of sentenced young adults, while only 19% knew who to contact for help compared with 28% of sentenced young adults. In women's prisons, 38% of those remanded felt they would have problems claiming benefits on release, similar to sentenced women, but considerably fewer (31% against 49%) knew who to contact in the prison for help with this.

Table 40: Prisoner perception of claiming benefits on release and awareness of support in the prison

| | Remand prisoners | Sentenced prisoners |
|---|------------------|---------------------|
| Do you think you will have a problem with claiming benefits on release from prison? | 30% | 30% |
| Do you know who to contact within this prison to get help with claiming benefits services on release? | 20% | 32% |

Children and families

***Expectations:** Prisoners are encouraged to re-establish or maintain relationships with their children and families where it is appropriate. Prisoners can maintain access to the outside world through regular and easy access to visits. Prisoners are aware of the prison procedures and their visits entitlements.*

- 9.52 It is important for prisoners to sustain contact with family and friends throughout their time in custody, both to aid their reintegration into the community on release and to support them while they are in prison. In our survey, only a third (35%) of remand prisoners said they had been helped to maintain contact, compared with 38% of sentenced prisoners. Women prisoners were generally more positive – 59% of remand women said they had been helped to maintain contact with family and friends. The difficulties prisoners face was stressed by a frustrated young adult in one of our groups:

'[They] say that keeping in touch with family and friends is the most important thing for coming out of prison and not reoffending but they make it so hard for you to keep in contact.'

- 9.53 As shown earlier in the report, nearly half of remand prisoners had children under 18 (see Figure 4, Section 4) and, more specifically, 9% of remand prisoners (12% of unconvicted) said they had problems arranging care for dependants on arrival in prison. Only a small number of remand prisoners (15%) said they had been asked if they needed help for problems with arranging care for dependants on entering custody (see Table 41).

9.54 Forty-five per cent of remanded women had children, but more on remand (14%) than sentenced (9%) said they had problems ensuring dependants were looked after on entering custody (18% of unconvicted and 10% of convicted unsentenced women). Less than a third (29%) of remanded women were asked if they needed any help with this in the first 24 hours.

9.55 As an example of the support in place at some establishments, the inspection of the women's side of Peterborough in 2011 reported that the legal services officer met new arrivals within 24 hours, identified any childcare issues and made referrals where necessary. As noted previously, being remanded into custody was unexpected for many, so ensuring childcare was a particularly urgent issue, as some comments highlighted:

'I want to know what I can do to get help for my kids.'

'They asked about whether or not I had kids but they didn't do anything with that information. It was like a box-ticking exercise.'

Table 41: Prisoner concerns about contact with/welfare of family on arrival in prison and support offered during reception

| | Remand prisoners | Sentenced prisoners |
|--|------------------|---------------------|
| Did you have any problems contacting family? | 34% | 33% |
| Did you have any problems ensuring dependants were being looked after? | 9% | 7% |
| In the first 24 hours, did staff ask if you needed help with: | | |
| Problems contacting family? | 51% | 53% |
| Problems ensuring dependants were being looked after? | 15% | 15% |

Visits

9.56 Unconvicted prisoners are entitled to receive as many visits as they wish, with a minimum requirement in Prison Service policy for establishments to provide three hour-long visits a week. There was wide variation between prisons but most provided the minimum entitlement, although only a minority placed no limit on the number of visits unconvicted prisoners could have. At the Hewell inspection in 2009 it was noted that unconvicted prisoners could have daily 30-minute visits, raised to one hour for those on the enhanced level of the IEP scheme. All five prisons in the fieldwork provided unconvicted prisoners with their minimum entitlement, and one exceeded this by offering a daily hour-long visit. However, some inspections have found this was not standard practice. For example, at Pentonville (2011), the visits entitlement was two a week, which did not meet the minimum requirement. Some inspections found that a prisoner's IEP status often determined the number of visits they were entitled to, irrespective of whether they were convicted or not. At Leeds (2010), all prisoners who were downgraded to the basic level, including those who were unconvicted, could have only three one-hour visits every 28 days, well below the minimum entitlement for unconvicted prisoners.

9.57 Prisoners in our groups relayed some frustration with booking visits as future visiting dates were often at full capacity, unconvicted prisoners were not prioritised for visiting events targeted at families, and for some young adults and women (for whom there are fewer prisons) the long distance from their home areas made visits problematic:

'I don't get any visits as my girlfriend's pregnant and lives in North London and it's too much hassle for her to come down just for an hour.'

'Visits are allowed every day but you can never get on them as they're always too busy.'

'They have family days but you can only get these if you're an enhanced prisoner. I think remand prisoners should get this too because we're not even been found guilty yet.'

9.58 Once convicted, prisoners lose the extra visits privileges and must apply using their allocated visiting orders. Some convicted unsentenced prisoners in groups said there had been a lack of information to explain the change once they had pleaded or been found guilty, and were frustrated at the administration and time it took for visiting orders to be processed:

'A visiting order can take 10 days so it's difficult to get all the visits you want.'

'I pleaded guilty and should have started getting visiting orders. I had to get on to wing staff to backdate the visiting orders.'

9.59 In our survey, more remanded than sentenced prisoners said they had had at least one visit in the previous week (Table 42), and over a third had received a visit in their first week at the establishment. Despite their entitlement, only 52% of unconvicted prisoners had received a visit in the previous week, and only 37% in their first week.

9.60 In YOIs, 59% of remanded young adults said they had received at least one visit in the previous week, compared with 43% of sentenced prisoners, which rose to 61% for unconvicted prisoners. Forty-two per cent of unconvicted young adults had received a visit in their first week at the prison.

9.61 Nearly half (48%) of the women on remand had received a visit in the previous week (rising to 57% for unconvicted women), compared with 41% of sentenced. Thirty-seven per cent of remand women and 40% of unconvicted women had received a visit in their first week.

Table 42: Prisoner access to visits

| | Remand prisoners | Sentenced prisoners |
|--|------------------|---------------------|
| Did you have a visit in the first week that you were here? | 37% | 35% |
| Did you receive one or more visits in the last week? | 49% | 40% |

9.62 Approximately a quarter of all prisoners said they had not received any visits, and this was consistent across the unconvicted (25%) and convicted unsentenced (28%) prisoner groups

and the different prison types. Over two-fifths of remand prisoners had received no visits in the week before the survey – 41% unconvicted and 47% convicted unsentenced.

Attitudes, thinking and behaviour

***Expectation:** Prisoners have access to interventions that produce a positive and demonstrable change in attitudes, thinking and behaviour.*

- 9.63 Offending behaviour programmes are aimed to meet targets in sentence plans set by an offender manager or offender supervisor, and remand prisoners are not expected to attend such courses. Some prisons provide less resource-intensive awareness programmes (such as victim awareness) that are available to remand prisoners on a discretionary basis. In almost all cases, prisoners on remand are held in local prisons, which are less well resourced and focused on providing interventions and programmes than training prisons. Many remand prisoners can rightfully assert that they do not wish to participate in any courses, especially if not yet convicted of a crime. However, some prisoners can be keen to engage with courses directed at attitudes and behaviour, such as anger management. Those with a history of offending might wish to make use of their time in custody to address their behaviour. Convicted unsentenced prisoners might want to make a start with programmes and show a willingness to engage before sentencing. Comments in the groups demonstrated this willingness:

'The thinking skills and offence skills course are really good but you can't get on them if you're on remand. Even if your court date isn't for a few months you still can't do it.'

'You get prioritised for courses if you've got probation saying you need to do it.'

- 9.64 Prisoners also understood the difficulties prisons faced with finite resource:

'Some things they can't do with remands because they don't know how long you'll be here. You could get halfway through a course and then leave and then they've wasted a load of money on you doing half a course.'

'If you're on remand and then you get let out they've wasted [money] on putting you on a course. You're not ticking any boxes.'

- 9.65 At the women's prison visited for fieldwork there were no courses available to remand prisoners. Three of the prisons offered the short duration programme (SDP) for substance misuse to remand prisoners; at two it was the only course available, but the third also provided several non-accredited programmes for victim awareness, alcohol and anger management. One prison offered a course equivalent to the SDP and a family relationships course. None of the five prisons visited provided remand-specific courses.

Endnotes

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- ⁴ *Ibid.*, para. 9(a-d).
- ⁵ http://www.direct.gov.uk/CrimeJusticeAndTheLaw/Beingstoppedorarrestedbythepolice/DG_196030
- ⁶ <http://yourrights.org.uk/yourrights/the-rights-of-defendants/bail.html>
- ⁷ *Ibid.*
- ⁸ Phillips C. and Brown D. (1998,) *Entry into the Criminal Justice System: a survey of police arrests and their outcomes*, Home Office Research Study No. 185.
- ⁹ <http://yourrights.org.uk/yourrights/the-rights-of-defendants/bail.html>
- ¹⁰ HM Prison Service (2010) PSI 34/2010: Accommodation and Support for Bail and Home Detention Curfew – change of contract
- ¹¹ Ministry of Justice (2011), *Criminal Justice Statistics, quarterly update to December 2010, Ministry of Justice Statistics Bulletin*.
- ¹² Legal Aid, Sentencing and Punishment of Offenders Bill.
- ¹³ Ministry of Justice (2011). Unpublished, Court Proceedings Data 2010.
- ¹⁴ Ministry of Justice (2011), *Offender Management Statistics Quarterly Bulletin* October to December 2010 tables (Excel spreadsheets).
- ¹⁵ Ministry of Justice (2011), *Criminal Justice Statistics*, England and Wales 2010.
- ¹⁶ Magistrates' courts figures exclude those committed for trial or sentence at the Crown Court and those who failed to appear.
- ¹⁷ Includes those remanded in custody at any stage of proceedings at magistrates' and the Crown Court who may also have been given bail at some stage of those proceedings.
- ¹⁸ Magistrates' courts data for 2010 are estimated; Crown Court data reflects actual figures.
- ¹⁹ Some percentages may not add up to 100 due to rounding.
- ²⁰ Acquitted includes proceedings discontinued, discharged, withdrawn and dismissed.
- ²¹ Ministry of Justice (2011). Unpublished, Court Proceedings Data 2010.
- ²² *Ibid.*
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- ²⁵ Ministry of Justice (2011). Unpublished, Court Proceedings Data 2010.
- ²⁶ *Ibid.*
- ²⁷ Ministry of Justice (2011), *Offender Management Statistics Quarterly Bulletin*, October to December 2011 tables (Excel spreadsheets). London: Ministry of Justice
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- ²⁹ HC Col 192W, 10 January 2011.
- ³⁰ Ministry of Justice (2012), *Offender management caseload statistics 2011 tables*.
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- ³² Article 10(2)(a). The UK ratified the ICCPR in 1976.
- ³³ Rule 84(2).
- ³⁴ See Principle 36, Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment.
- ³⁵ Article 10(2)(a), ICCPR; Principle 8, BOP; Rules 8(b) and 85, SMR; Rules 18.8 and 18.9, European Prison Rules (Recommendation (2006)2 of the Committee of Ministers to member states on the European Prison Rules adopted by the Committee of Ministers on 11 January 2006) (EPR). Note that the SMR permit no exception to the need for separation while the EPR only allow exceptions with the consent of prisoners.
- ³⁶ Rule 86, SMR; Rule 96, EPR.
- ³⁷ Rule 88, SMR; Rule 97, EPR.
- ³⁸ Rule 89, SMR; Rule 100, EPR
- ³⁹ Rule 87, SMR.
- ⁴⁰ Rule 91, SMR.
- ⁴¹ Rule 92, SMR; Rules 99a and 99b, EPR.
- ⁴² Rule 90 SMR; Rule 99c, EPR.
- ⁴³ Rule 98, EPR.
- ⁴⁴ Rule 93 SMR; Rule 98.2, EPR; supported by general provisions stating that everyone charged with a criminal offence shall be able to prepare a defence and communicate with counsel, such as Article 6(3), European Convention on Human Rights or Article 14, ICCPR.
- ⁴⁵ Rule 84(3), SMR.
- ⁴⁶ Rule 101, EPR. For more detailed standards on remand prisoners, see Recommendation (2006) 13 of the Committee of Ministers to member states on the use of remand in custody, the conditions in which it takes place and the provision of safeguards against abuse, adopted by the Committee of Ministers on 27 September 2006.
- ⁴⁷ HM Prison Service (2003). PSO 4600. *Unconvicted, Unsentenced and Civil Prisoners*.
- ⁴⁸ *Ibid.*
- ⁴⁹ *Ibid.*
- ⁵⁰ Section 30, Magistrates Court Act (1980).

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- ⁵¹ Section 10(3), Magistrates Court Act (1980) and Section 6(2), Immigration Act (1971).
- ⁵² Rule 94.1, EPR.
- ⁵³ HM Prison Service (1999), PSO 6100 *The Bail System*.
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- ⁶³ Hansard HC, 25 November 2009, c238W
- ⁶⁴ HM Inspectorate of Prisons (2010), *Women in prison: A short thematic review*.
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- ⁶⁶ Ministry of Justice (2011) *National Offender Management Service Annual Report 2010/11: Management Information Addendum*
- ⁶⁷ HM Inspectorate of Prisons (2009), *The Prison Characteristics that Predict Prisons Being Assessed as Performing 'Well': A thematic review*.
- ⁶⁸ HM Inspectorate of Prisons (2011), Annual Report 2010–11.
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- ⁷⁰ Singleton, N. et al (1998), *Psychiatric Morbidity among Prisoners in England and Wales*, London: Office for National Statistics.
- ⁷¹ Social Exclusion Unit (2002), *Reducing Re-offending by Ex-prisoners*.
- ⁷² HM Inspectorate of Prisons (1999), *Suicide is Everyone's Concern. A thematic review*.
- ⁷³ Ministry of Justice (2011) *Safety in Custody Statistics 2010 statistical tables: deaths, assaults, self-harm*.
- ⁷⁴ At the time of the publication of the *Safety in Custody Statistics 2010 statistical tables: death assaults and self-harm (Ministry of Justice, 2011)*, eight further deaths in 2010 had yet to be classified.
- ⁷⁵ Prisons and Probation Ombudsman (2011), *Annual Report 2010–11*.
- ⁷⁶ Ministry of Justice (2011) *Safety in Custody Statistics 2010 statistical tables: deaths, assaults, self-harm*.
- ⁷⁷ HM Prison Service (2007), PSO 2700, *Suicide Prevention and Self-Harm Management*.
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- ⁷⁹ The data and information in this report predates the changes in escort provider in August 2011
- ⁸⁰ HM Inspectorate of Prisons (2008), *Prisoners Under Escort: A short follow-up thematic review*.
- ⁸¹ *Ibid.*
- ⁸² HM Inspectorate of Prisons (forthcoming), Unpublished findings, Inspection of Prisoner Escort Records.
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- ⁹³ Prison Rules (1999) No. 728, Prison Rule 43(1): *Prisoner's Property. Removal, search, record and property*.
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- ⁹⁸ HM Inspectorate of Prisons (2000), *op.cit.*
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- ¹⁰⁰ HM Inspectorate of Prisons (2007), *Time Out of Cell: A short thematic review*.
- ¹⁰¹ Prison Reform Trust (2011), *Bromley Briefings Prison Fact File* (June 2011).
- ¹⁰² Time out of cell, in addition to formal 'purposeful activity', includes any time prisoners are out of their cells to associate or use communal facilities to take showers or make telephone calls.
- ¹⁰³ See for example: Prison Reform Trust (2011), *Bromley Briefings Prison Fact File* (June 2011); Ministry of Justice (2011) *Safety in Custody Statistics 2010 statistical tables: deaths, assaults, self-harm*; Social Exclusion Unit (2002) *Reducing Re-offending by Ex-prisoners*.
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Appendix I: Methodology

The evidence for this report has come from three main sources: prisoner surveys, fieldwork undertaken at five sites, which included focus groups with remand prisoners and interviews with heads of residence and resettlement, and an analysis of published inspection reports.

Prisoner survey data

A pre-inspection survey is completed prior to all full and full follow-up inspections and surveys are distributed to a representative sample of prisoners at each establishment. An analysis was completed on a dataset collected for 33 local prison inspections between January 2009 and June 2011. Only data collected from local prisons is referred to in this report. In all cases data on the prisoners' sentence status (unconvicted, convicted unsentenced or sentenced) and number of times they had been in prison before are based on what was self-reported in the survey.

The data is comprised of responses from 4,868 prisoners, of whom 876 (18%) said they were unconvicted and 717 (15%) convicted and awaiting sentence when surveyed. Collectively, these two groups have been referred to as 'remand prisoners', comprising 1,593 (33%) of the total sample.

The following statistical analyses were completed on the survey data:

- an overall comparison between responses from those who said they were on remand and those who said they were sentenced in local prisons
- a comparison between responses from those who said they were on remand and those who said they were sentenced within the following functional types:
 - 24 adult male local prisons
 - five local young offender institutions (YOIs) holding men aged 18 to 21
 - four local women's prisons holding women aged 18 and over
- a comparison between the responses from remand prisoners who said it was their first time in prison and those who said they had been in prison before. Prisoners who said that they were sentenced were excluded from this analysis.

The overall analysis, which includes prisons of all functional types, is cited throughout the report and findings from the analysis of surveys from women's prisons or YOIs are included where responses varied from the results of the overall analysis. A large proportion (76%) of the data analysed was comprised of responses from local adult male prisons so there was little deviation in responses from the overall figures. Therefore there is little reference to this separate analysis in the report.

In addition, responses from unconvicted, convicted unsentenced and sentenced prisoners were analysed across both the full local dataset, and for adult male prisons, women's prisons and YOIs separately. As unconvicted prisoners had some specific entitlements set out in the Prison Rules and PSO 4600, responses from unconvicted prisoners have been highlighted in these areas.

A caveat when interpreting the comparative analyses is that several prisoners who reported being sentenced at the time of the survey were likely to have spent a portion of their time in the prison on remand, but it was not possible to know the number for whom this was the case. Questions on arrival into custody would be particularly affected, as some sentenced prisoners will have experienced this early stage of imprisonment as a remand prisoner.

In the tables showing survey data, highlighting is used to indicate where there is a real (statistically significant) difference between responses in each group that is not due to chance alone. This is determined using statistical tests. Percentages highlighted in green are significantly better than the comparison group, and those highlighted in blue are significantly worse. If there is no highlighting, no real (or statistically significant) difference between responses was found.

Throughout this report data are weighted to mimic the whole population at each establishment and only differences that are statistically significant are mentioned in the text. The exception to this are the characteristics detailed in 4.2 to 4.14. This information is not weighted, so that it directly reflects the characteristics of those surveyed. Also, differences in these paragraphs have not been tested for statistical significance and are detailed merely to describe the characteristics of different sentence status groups. All figures have been rounded.

Inspection report analysis

An analysis of inspection reports was conducted. This included findings from 33 inspection reports between March 2009 and June 2011. The following table details the inspections included in the analysis.

| Establishment | Type of Inspection | Date of Inspections (w/c) |
|-----------------------|--------------------|---------------------------|
| Altcourse | Full unannounced | 15 January 2010 |
| Bedford | Full announced | 2 March 2009 |
| Belmarsh | Full unannounced | 6 April 2011 |
| Birmingham | Full follow-up | 2 December 2009 |
| Brinsford | Full announced | 30 November 2009 |
| Bristol | Full announced | 4 January 2010 |
| Brixton | Full follow-up | 1 December 2010 |
| Bronzefield | Full unannounced | 13 October 2010 |
| Chelmsford | Full announced | 16 May 2011 |
| Doncaster | Full unannounced | 2 November 2010 |
| Durham | Full follow-up | 12 October 2009 |
| Exeter | Full announced | 12 October 2009 |
| Feltham | Full announced | 11 January 2010 |
| Forest Bank | Full follow-up | 29 June 2011 |
| Foston Hall | Full announced | 28 September 2009 |
| Glen Parva | Full unannounced | 2 November 2009 |
| Hewell – local | Full announced | 2 November 2009 |
| Holloway | Full unannounced | 15 April 2010 |
| Holme House | Full announced | 19 July 2010 |
| Lancaster Farms | Full follow-up | 1 June 2011 |
| Leeds | Full follow-up | 3 March 2010 |
| Liverpool | Full announced | 7 September 2009 |
| Manchester | Full announced | 27 July 2009 |
| Norwich | Full unannounced | 3 February 2010 |
| Nottingham | Full announced | 15 February 2010 |
| Pentonville | Full follow-up | 24 February 2011 |
| Peterborough – male | Full announced | 4 April 2011 |
| Peterborough – female | Full announced | 4 April 2011 |
| Preston | Full announced | 10 August 2009 |
| Reading | Full announced | 1 June 2009 |
| Swansea | Full announced | 8 February 2010 |

| | | |
|------------|----------------|------------------|
| Wandsworth | Full follow-up | 28 February 2011 |
| Woodhill | Full follow-up | 16 November 2009 |

Establishments are named in the report where the text refers to specific findings from an inspection. The analysis was largely qualitative therefore used primarily to contextualise and support other evidence strands.

Fieldwork

Fieldwork was conducted between April and May 2011 at five local establishments, which included three adult male prisons, a women's prison and a YOI (18–21 years). At each prison two prisoner focus groups were carried out with those held on remand and meetings were held with heads of residence and resettlement.

Prisoner focus groups

Two semi-structured groups were conducted, one with unconvicted prisoners and one with convicted unsentenced prisoners. In the groups prisoners were asked about their experiences as a remand prisoner.

At each site a liaison officer in the prison produced two separate lists of unconvicted and convicted unsentenced prisoners ordered by cell location in the prison. Prisoners were selected at random by stratifying this list to select approximately 10 participants in each group. Attendance was voluntary and all prisoners were informed of their right to refuse.

Staff meetings

A meeting was held with the heads of residential at each establishment. A semi-structured interview template was used and both qualitative and quantitative data were collected. The questions asked about provision for remand prisoners on the residential units.

A meeting was also held with the head of resettlement, using a template which asked about how the resettlement needs of remand prisoners were identified and met.



Overall local prisons: remand prisoners vs sentenced prisoners

Prisoner survey responses (missing data have been excluded for each question) Please note: where there are apparently large differences, which are not indicated as statistically significant, this is likely to be due to chance.

Key to tables

| | | Remand prisoners | Sentenced prisoners |
|---|--|------------------|---------------------|
| | Any percentage highlighted in green is significantly better | | |
| | Any percentage highlighted in blue is significantly worse | | |
| | Any percentage highlighted in orange shows a significant difference in prisoners' background details | | |
| | Percentages which are not highlighted show there is no significant difference | | |
| Number of completed questionnaires returned | | 1593 | 3275 |
| SECTION 1: General information | | | |
| 2 | Are you under 21 years of age? | 17% | 12% |
| 3b | Are you on recall? | N/A | 14% |
| 4a | Is your sentence less than 12 months? | N/A | 30% |
| 4b | Are you here under an indeterminate sentence for public protection (IPP prisoner)? | N/A | 5% |
| 5 | Do you have six months or less to serve? | N/A | 55% |
| 6 | Have you been in this prison less than a month? | 27% | 17% |
| 7 | Are you a foreign national? | 16% | 11% |
| 8 | Is English your first language? | 84% | 90% |
| 9 | Are you from a minority ethnic group? Including all those who did not tick white British, white Irish or white other categories. | 33% | 23% |
| 10 | Do you consider yourself to be Gypsy/ Romany/ Traveller? | 5% | 5% |
| 11 | Are you Muslim? | 14% | 10% |
| 12 | Are you homosexual/gay or bisexual? | 3% | 5% |
| 13 | Do you consider yourself to have a disability? | 20% | 19% |
| 14 | Is this your first time in prison? | 34% | 27% |
| 15 | Have you been in more than five prisons this time? | 4% | 9% |
| 16 | Do you have any children under the age of 18? | 49% | 53% |
| SECTION 2: Transfers and escorts | | | |
| For the most recent journey you have made either to or from court or between prisons: | | | |
| 1a | Was the cleanliness of the van good/very good? | 47% | 48% |
| 1b | Was your personal safety during the journey good/very good? | 58% | 61% |
| 1c | Was the comfort of the van good/very good? | 11% | 13% |
| 1d | Was the attention paid to your health needs good/very good? | 27% | 30% |
| 1e | Was the frequency of toilet breaks good/very good? | 19% | 16% |
| 2 | Did you spend more than four hours in the van? | 2% | 4% |
| 3 | Were you treated well/very well by the escort staff? | 63% | 63% |
| 4a | Did you know where you were going when you left court or when transferred from another prison? | 73% | 77% |
| 4b | Before you arrived here did you receive any written information about what would happen to you? | 14% | 15% |
| 4c | When you first arrived here did your property arrive at the same time as you? | 78% | 82% |
| SECTION 3: Reception, first night and induction | | | |
| 1 | In the first 24 hours, did staff ask you if you needed help/support with the following: | | |
| 1b | Problems with loss of property? | 12% | 12% |
| 1c | Housing problems? | 33% | 29% |
| 1d | Problems contacting employers? | 12% | 13% |
| 1e | Problems contacting family? | 51% | 53% |

Key to tables

| | | Remand prisoners | Sentenced prisoners |
|--|--|------------------|---------------------|
| | Any percentage highlighted in green is significantly better | | |
| | Any percentage highlighted in blue is significantly worse | | |
| | Any percentage highlighted in orange shows a significant difference in prisoners' background details | | |
| | Percentages which are not highlighted show there is no significant difference | | |
| 1f | Problems ensuring dependants were looked after? | 15% | 15% |
| 1g | Money problems? | 17% | 17% |
| 1h | Problems of feeling depressed/suicidal? | 53% | 53% |
| 1i | Health problems? | 62% | 62% |
| 1j | Problems in needing protection from other prisoners? | 21% | 20% |
| 1k | Problems accessing phone numbers? | 42% | 42% |
| 2 | When you first arrived: | | |
| 2a | Did you have any problems? | 76% | 74% |
| 2b | Did you have any problems with loss of property? | 15% | 14% |
| 2c | Did you have any housing problems? | 27% | 25% |
| 2d | Did you have any problems contacting employers? | 7% | 7% |
| 2e | Did you have any problems contacting family? | 34% | 33% |
| 2f | Did you have any problems ensuring dependants were being looked after? | 9% | 7% |
| 2g | Did you have any money worries? | 26% | 20% |
| 2h | Did you have any problems with feeling depressed or suicidal? | 23% | 21% |
| 2i | Did you have any health problems? | 31% | 31% |
| 2j | Did you have any problems with needing protection from other prisoners? | 11% | 8% |
| 2k | Did you have problems accessing phone numbers? | 32% | 29% |
| 3a | Were you seen by a member of health services in reception? | 90% | 89% |
| 3b | When you were searched in reception, was this carried out in a respectful way? | 72% | 75% |
| 4 | Were you treated well/very well in reception? | 55% | 57% |
| 5 | On your day of arrival, were you offered information about any of the following: | | |
| 5a | What was going to happen to you? | 45% | 48% |
| 5b | Support was available for people feeling depressed or suicidal? | 46% | 48% |
| 5c | How to make routine requests? | 40% | 39% |
| 5d | Your entitlement to visits? | 46% | 45% |
| 5e | Health services? | 52% | 50% |
| 5f | The chaplaincy? | 49% | 45% |
| SECTION 3: Reception, first night and induction continued | | | |
| 6 | On your day of arrival, were you offered any of the following: | | |
| 6a | A smokers/non-smokers pack? | 87% | 88% |
| 6b | The opportunity to have a shower? | 35% | 36% |
| 6c | The opportunity to make a free telephone call? | 62% | 63% |
| 6d | Something to eat? | 82% | 80% |
| 7 | Within the first 24 hours did you meet any of the following people: | | |
| 7a | The chaplain or a religious leader? | 45% | 44% |
| 7b | Someone from health services? | 75% | 75% |
| 7c | A Listener/Samaritans? | 22% | 21% |
| 8 | Did you have access to the prison shop/canteen within the first 24 hours? | 13% | 13% |
| 9 | Did you feel safe on your first night here? | 67% | 71% |

Key to tables

| | | Remand prisoners | Sentenced prisoners |
|---|---|------------------|---------------------|
| | Any percentage highlighted in green is significantly better | | |
| | Any percentage highlighted in blue is significantly worse | | |
| | Any percentage highlighted in orange shows a significant difference in prisoners' background details | | |
| | Percentages which are not highlighted show there is no significant difference | | |
| 10 | Have you been on an induction course? | 78% | 79% |
| For those who have been on an induction course: | | | |
| 11 | Did the course cover everything you needed to know about the prison? | 58% | 58% |
| SECTION 4: Legal rights and respectful custody | | | |
| 1 | In terms of your legal rights, is it easy/very easy to: | | |
| 1a | Communicate with your solicitor or legal representative? | 37% | 41% |
| 1b | Attend legal visits? | 60% | 57% |
| 1c | Obtain bail information? | 24% | 24% |
| 2 | Have staff ever opened letters from your solicitor or legal representative when you were not with them? | 36% | 41% |
| 3 | For the wing/unit you are currently on: | | |
| 3a | Are you normally offered enough clean, suitable clothes for the week? | 46% | 50% |
| 3b | Are you normally able to have a shower every day? | 75% | 80% |
| 3c | Do you normally receive clean sheets every week? | 78% | 80% |
| 3d | Do you normally get cell cleaning materials every week? | 60% | 63% |
| 3e | Is your cell call bell normally answered within five minutes? | 36% | 36% |
| 3f | Is it normally quiet enough for you to be able to relax or sleep in your cell at night time? | 61% | 63% |
| 3g | Can you normally get your stored property, if you need to? | 25% | 25% |
| 4 | Is the food in this prison good/very good? | 24% | 22% |
| 5 | Does the shop/canteen sell a wide enough range of goods to meet your needs? | 45% | 44% |
| 6a | Is it easy/very easy to get a complaints form? | 74% | 80% |
| 6b | Is it easy/very easy to get an application form? | 82% | 85% |
| 7 | Have you made an application? | 81% | 87% |

Key to tables

| | | | |
|---|--|------------------|---------------------|
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| SECTION 4: Legal rights and respectful custody continued | | | |
| For those who have made an application: | | | |
| 8a | Do you feel applications are dealt with fairly? | 51% | 56% |
| 8b | Do you feel applications are dealt with promptly (within seven days)? | 43% | 46% |
| 9 | Have you made a complaint? | 35% | 43% |
| For those who have made a complaint: | | | |
| 10a | Do you feel complaints are dealt with fairly? | 28% | 30% |
| 10b | Do you feel complaints are dealt with promptly (within seven days)? | 35% | 33% |
| 11 | Have you ever been made to or encouraged to withdraw a complaint since you have been in this prison? | 25% | 26% |
| 10c | Were you given information about how to make an appeal? | 16% | 20% |
| 12 | Is it easy/very easy to see the Independent Monitoring Board? | 15% | 24% |
| 13 | Are you on the enhanced (top) level of the IEP scheme? | 19% | 32% |
| 14 | Do you feel you have been treated fairly in your experience of the IEP scheme? | 45% | 52% |
| 15 | Do the different levels of the IEP scheme encourage you to change your behaviour? | 45% | 45% |
| 16a | In the last six months have any members of staff physically restrained you (C&R)? | 7% | 8% |
| 16b | In the last six months have you spent a night in the segregation/ care and separation unit? | 9% | 11% |
| 13a | Do you feel your religious beliefs are respected? | 55% | 54% |
| 13b | Are you able to speak to a religious leader of your faith in private if you want to? | 54% | 56% |
| 14 | Are you able to speak to a Listener at any time, if you want to? | 54% | 56% |
| 15a | Is there a member of staff, in this prison, that you can turn to for help if you have a problem? | 71% | 71% |
| 15b | Do most staff, in this prison, treat you with respect? | 67% | 69% |
| SECTION 5: Safety | | | |
| 1 | Have you ever felt unsafe in this prison? | 43% | 42% |
| 2 | Do you feel unsafe in this prison at the moment? | 20% | 17% |
| 4 | Have you been victimised by another prisoner? | 22% | 22% |
| 5 | Since you have been here, has another prisoner: | | |
| 5a | Made insulting remarks about you, your family or friends? | 9% | 12% |
| 5b | Hit, kicked or assaulted you? | 7% | 7% |
| 5c | Sexually abused you? | 1% | 1% |
| 5d | Victimised you because of your race or ethnic origin? | 4% | 4% |
| 5e | Victimised you because of drugs? | 3% | 4% |
| 5f | Taken your canteen/property? | 6% | 6% |
| 5g | Victimised you because you were new here? | 6% | 7% |
| 5h | Victimised you because of your sexuality? | 1% | 1% |
| 5i | Victimised you because you have a disability? | 3% | 3% |
| 5j | Victimised you because of your religion/religious beliefs? | 2% | 2% |
| 5k | Victimised you because of your age? | 2% | 2% |
| 5l | Victimised you because you were from a different part of the country? | 4% | 5% |
| 5m | Victimised you because of your offence/crime? | 4% | 4% |
| 5n | Victimised you because of gang related issues? | 4% | 4% |

Key to tables

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| SECTION 5: Safety continued | | | |
| 6 | Have you been victimised by a member of staff? | 26% | 26% |
| 7 | Since you have been here, has a member of staff: | | |
| 7a | Made insulting remarks about you, your family or friends? | 11% | 12% |
| 7b | Hit, kicked or assaulted you? | 5% | 5% |
| 7c | Sexually abused you? | 1% | 1% |
| 7d | Victimised you because of your race or ethnic origin? | 5% | 4% |
| 7e | Victimised you because of drugs? | 3% | 5% |
| 7f | Victimised you because you were new here? | 7% | 6% |
| 7g | Victimised you because of your sexuality? | 1% | 1% |
| 7h | Victimised you because you have a disability? | 3% | 3% |
| 7i | Victimised you because of your religion/religious beliefs? | 2% | 2% |
| 7j | Victimised you because of your age? | 3% | 2% |
| 7k | Victimised you because you were from a different part of the country? | 3% | 4% |
| 7l | Victimised you because of your offence/crime? | 4% | 4% |
| 7m | Victimised you because of gang related issues? | 2% | 2% |
| For those who have been victimised by staff or other prisoners: | | | |
| 8 | Did you report any victimisation that you have experienced? | 35% | 34% |
| 9 | Have you ever felt threatened or intimidated by another prisoner/ group of prisoners in here? | 26% | 26% |
| 10 | Have you ever felt threatened or intimidated by a member of staff in here? | 24% | 23% |
| 11 | Is it easy/very easy to get illegal drugs in this prison? | 24% | 31% |
| SECTION 6: Health services | | | |
| 1a | Is it easy/very easy to see the doctor? | 24% | 28% |
| 1b | Is it easy/very easy to see the nurse? | 46% | 52% |
| 1c | Is it easy/very easy to see the dentist? | 8% | 12% |
| 1d | Is it easy/very easy to see the optician? | 9% | 13% |
| 2 | Are you able to see a pharmacist? | 46% | 43% |
| For those who have been to the following services, do you think the quality of the health service from the following is good/very good: | | | |
| 3a | The doctor? | 45% | 44% |
| 3b | The nurse? | 57% | 57% |
| 3c | The dentist? | 25% | 34% |
| 3d | The optician? | 30% | 35% |
| 4 | The overall quality of health services? | 39% | 39% |

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| Health services continued | | | |
| 5 | Are you currently taking medication? | 46% | 49% |
| For those currently taking medication: | | | |
| 6 | Are you allowed to keep possession of your medication in your own cell? | 55% | 54% |
| 7 | Do you feel you have any emotional well being/mental health issues? | 36% | 32% |
| For those with emotional well being/mental health issues, are these being addressed by any of the following: | | | |
| 8a | Not receiving any help? | 40% | 38% |
| 8b | A doctor? | 35% | 33% |
| 8c | A nurse? | 21% | 18% |
| 8d | A psychiatrist? | 17% | 20% |
| 8e | The Mental Health In-Reach Team? | 28% | 29% |
| 8f | A counsellor? | 14% | 11% |
| 9a | Did you have a drug problem when you came into this prison? | 35% | 39% |
| 9b | Did you have an alcohol problem when you came into this prison? | 27% | 29% |
| 10a | Have you developed a drug problem since you have been in this prison? | 7% | 9% |
| For those with drug or alcohol problems: | | | |
| 11 | Do you know who to contact in this prison for help? | 76% | 84% |
| 12 | Have you received any help or intervention while in this prison? | 66% | 71% |
| For those who have received help or intervention with their drug or alcohol problem: | | | |
| 13 | Was this intervention or help useful? | 74% | 78% |
| 14a | Do you think you will have a problem with drugs when you leave this prison? (Yes/don't know) | 32% | 31% |
| 14b | Do you think you will have a problem with alcohol when you leave this prison? (Yes/don't know) | 27% | 26% |
| For those who may have a drug or alcohol problem on release, do you know who in this prison: | | | |
| 15 | Can help you contact external drug or alcohol agencies on release? | 48% | 64% |

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| SECTION 7: Purposeful activity | | | |
| 1 | Are you currently involved in any of the following activities: | | |
| 1a | A prison job? | 36% | 46% |
| 1b | Vocational or skills training? | 8% | 13% |
| 1c | Education (including basic skills)? | 27% | 27% |
| 1d | Offending Behaviour Programmes? | 4% | 9% |
| 2ai | Have you had a job while in this prison? | 60% | 71% |
| For those who have had a prison job while in this prison: | | | |
| 2aii | Do you feel the job will help you on release? | 41% | 42% |
| 2bi | Have you been involved in vocational or skills training while in this prison? | 43% | 56% |
| For those who have had vocational or skills training while in this prison: | | | |
| 2bii | Do you feel the vocational or skills training will help you on release? | 47% | 55% |
| 2ci | Have you been involved in education while in this prison? | 57% | 66% |
| For those who have been involved in education while in this prison: | | | |
| 2cii | Do you feel the education will help you on release? | 56% | 62% |
| 2di | Have you been involved in offending behaviour programmes while in this prison? | 38% | 53% |
| For those who have been involved in offending behaviour programmes while in this prison: | | | |
| 2dii | Do you feel the offending behaviour programme(s) will help you on release? | 40% | 50% |
| 3 | Do you go to the library at least once a week? | 36% | 36% |
| 4 | On average, do you go to the gym at least twice a week? | 40% | 42% |
| 5 | On average, do you go outside for exercise three or more times a week? | 41% | 39% |
| 6 | On average, do you spend ten or more hours out of your cell on a weekday? | 8% | 11% |
| 7 | On average, do you go on association more than five times each week? | 44% | 52% |
| 8 | Do staff normally speak to you most of the time/all of the time during association? | 15% | 20% |
| SECTION 8: Resettlement | | | |
| 1 | Do you have a personal officer? | 44% | 52% |
| For those with a personal officer: | | | |
| 2 | Do you think your personal officer is helpful/very helpful? | 58% | 62% |
| For those who are sentenced: | | | |
| 3 | Do you have a sentence plan? | N/A | 42% |
| For those with a sentence plan? | | | |
| 4 | Were you involved/very involved in the development of your plan? | N/A | 59% |
| 5 | Can you achieve some/all of your sentence plan targets in this prison? | N/A | 65% |
| 6 | Are there plans for you to achieve some/all your targets in another prison? | N/A | 45% |
| For those who are sentenced: | | | |
| 7 | Do you feel that any member of staff has helped you address your offending behaviour while at this prison? | N/A | 28% |
| 8 | Do you feel that any member of staff has helped you to prepare for release? | 10% | 16% |
| 9 | Have you had any problems with sending or receiving mail? | 45% | 45% |
| 10 | Have you had any problems getting access to the telephones? | 37% | 30% |
| 11 | Did you have a visit in the first week that you were here? | 37% | 35% |
| 12 | Did you receive one or more visits in the last week? | 49% | 40% |

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| Resettlement continued | | | |
| For those who have had visits: | | | |
| 13 | How are you and your family/ friends usually treated by visits staff? (Very well/ well) | 46% | 50% |
| 14 | Have you been helped to maintain contact with family/friends whilst in this prison? | 35% | 38% |
| 15 | Do you know who to contact within this prison to get help with the following: | | |
| 15b | Maintaining good relationships? | 11% | 15% |
| 15c | Avoiding bad relationships? | 8% | 11% |
| 15d | Finding a job on release? | 18% | 24% |
| 15e | Finding accommodation on release? | 20% | 28% |
| 15f | With money/finances on release? | 11% | 16% |
| 15g | Claiming benefits on release? | 20% | 32% |
| 15h | Arranging a place at college/continuing education on release? | 10% | 15% |
| 15i | Accessing health services on release? | 11% | 17% |
| 15j | Opening a bank account on release? | 9% | 14% |
| 16 | Do you think you will have a problem with any of the following on release from prison? | | |
| 16b | Maintaining good relationships? | 14% | 15% |
| 16c | Avoiding bad relationships? | 14% | 15% |
| 16d | Finding a job? | 45% | 49% |
| 16e | Finding accommodation? | 39% | 37% |
| 16f | Money/finances? | 29% | 29% |
| 16g | Claiming benefits? | 30% | 30% |
| 16h | Arranging a place at college/continuing education? | 19% | 19% |
| 16i | Accessing health services? | 17% | 17% |
| 16j | Opening a bank account? | 25% | 27% |
| For those who are sentenced: | | | |
| 17 | Have you done anything, or has anything happened to you here to make you less likely to offend in future? | N/A | 47% |



Remand thematic: Population breakdown - remand prisoners vs sentenced prisoners

Prisoner survey responses (missing data have been excluded for each question) Please note: where there are apparently large differences, which are not indicated as statistically significant, this is likely to be due to chance.

Key to tables

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| Number of completed questionnaires returned | 1231 | 2478 | 161 | 400 | 201 | 397 |
| SECTION 1: General information | | | | | | |
| 2 Are you under 21 years of age? | 9% | 4% | 12% | 11% | 98% | 94% |
| 3b Are you on recall? | N/A | 15% | N/A | 8% | N/A | 11% |
| 4a Is your sentence less than 12 months? | N/A | 29% | N/A | 42% | N/A | 28% |
| 4b Are you here under an indeterminate sentence for public protection (IPP prisoner)? | N/A | 5% | N/A | 3% | N/A | 4% |
| 5 Do you have six months or less to serve? | N/A | 55% | N/A | 65% | N/A | 47% |
| 6 Have you been in this prison less than a month? | 27% | 17% | 29% | 21% | 25% | 19% |
| 7 Are you a foreign national? | 15% | 11% | 26% | 17% | 14% | 11% |
| 8 Is English your first language? | 84% | 90% | 80% | 89% | 84% | 94% |
| 9 Are you from a minority ethnic group? Including all those who did not tick white British, white Irish or white other categories. | 31% | 23% | 38% | 29% | 46% | 27% |
| 10 Do you consider yourself to be Gypsy/ Romany/ Traveller? | 5% | 5% | 7% | 7% | 6% | 3% |
| 11 Are you Muslim? | 13% | 10% | 7% | 7% | 20% | 13% |
| 12 Are you homosexual/gay or bisexual? | 3% | 3% | 21% | 27% | 0% | 2% |
| 13 Do you consider yourself to have a disability? | 21% | 20% | 25% | 17% | 13% | 11% |
| 14 Is this your first time in prison? | 32% | 25% | 55% | 48% | 39% | 37% |
| 15 Have you been in more than five prisons this time? | 5% | 10% | 2% | 4% | 1% | 4% |
| 16 Do you have any children under the age of 18? | 53% | 56% | 45% | 53% | 24% | 24% |
| SECTION 2: Transfers and escorts | | | | | | |
| For the most recent journey you have made either to or from court or between prisons: | | | | | | |
| 1a Was the cleanliness of the van good/very good? | 48% | 49% | 44% | 51% | 38% | 38% |
| 1b Was your personal safety during the journey good/very good? | 59% | 62% | 51% | 57% | 52% | 58% |
| 1c Was the comfort of the van good/very good? | 11% | 14% | 15% | 14% | 8% | 7% |
| 1d Was the attention paid to your health needs good/very good? | 26% | 30% | 32% | 34% | 31% | 32% |
| 1e Was the frequency of toilet breaks good/very good? | 19% | 17% | 14% | 15% | 18% | 15% |
| 2 Did you spend more than four hours in the van? | 2% | 4% | 2% | 5% | 5% | 3% |
| 3 Were you treated well/very well by the escort staff? | 62% | 63% | 73% | 72% | 58% | 60% |
| 4a Did you know where you were going when you left court or when transferred from another prison? | 73% | 77% | 76% | 79% | 74% | 81% |
| 4b Before you arrived here did you receive any written information about what would happen to you? | 14% | 15% | 17% | 16% | 21% | 20% |
| 4c When you first arrived here did your property arrive at the same time as you? | 78% | 82% | 82% | 83% | 74% | 83% |

Key to tables

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| SECTION 3: Reception, first night and induction | | | | | | |
| 1 | In the first 24 hours, did staff ask you if you needed help/support with the following: | | | | | |
| 1b | 13% | 13% | 10% | 10% | 12% | 11% |
| 1c | 32% | 28% | 38% | 34% | 35% | 34% |
| 1d | 13% | 13% | 8% | 11% | 13% | 10% |
| 1e | 49% | 52% | 66% | 65% | 60% | 59% |
| 1f | 15% | 15% | 29% | 24% | 14% | 12% |
| 1g | 17% | 17% | 18% | 18% | 13% | 13% |
| 1h | 53% | 53% | 59% | 56% | 49% | 52% |
| 1i | 62% | 62% | 61% | 64% | 66% | 62% |
| 1j | 21% | 21% | 12% | 12% | 23% | 17% |
| 1k | 41% | 41% | 41% | 48% | 48% | 44% |
| 2 | When you first arrived: | | | | | |
| 2a | 77% | 75% | 77% | 81% | 69% | 60% |
| 2b | 15% | 14% | 15% | 14% | 17% | 12% |
| 2c | 27% | 25% | 30% | 28% | 26% | 20% |
| 2d | 7% | 7% | 4% | 6% | 9% | 6% |
| 2e | 34% | 34% | 37% | 34% | 26% | 25% |
| 2f | 9% | 7% | 14% | 9% | 4% | 4% |
| 2g | 26% | 20% | 31% | 26% | 24% | 20% |
| 2h | 23% | 20% | 38% | 37% | 17% | 14% |
| 2i | 32% | 31% | 36% | 46% | 15% | 13% |
| 2j | 11% | 9% | 7% | 9% | 13% | 6% |
| 2k | 33% | 31% | 33% | 28% | 21% | 17% |
| 3a | 90% | 88% | 87% | 89% | 89% | 93% |
| 3b | 72% | 73% | 84% | 85% | 71% | 83% |
| 4 | 55% | 56% | 66% | 64% | 50% | 66% |
| 5 | On your day of arrival, were you offered information about any of the following: | | | | | |
| 5a | 45% | 48% | 52% | 50% | 49% | 52% |
| 5b | 46% | 47% | 50% | 54% | 49% | 54% |
| 5c | 40% | 38% | 38% | 39% | 35% | 42% |
| 5d | 46% | 44% | 41% | 45% | 55% | 52% |
| 5e | 51% | 49% | 48% | 47% | 59% | 61% |
| 5f | 48% | 45% | 42% | 44% | 57% | 52% |

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| Percentages which are not highlighted show there is no significant difference | | | | | | |
| SECTION 3: Reception, first night and induction continued | | | | | | |
| 6 On your day of arrival, were you offered any of the following: | | | | | | |
| 6a A smokers/non-smokers pack? | 87% | 88% | 84% | 84% | 89% | 90% |
| 6b The opportunity to have a shower? | 34% | 36% | 45% | 36% | 42% | 41% |
| 6c The opportunity to make a free telephone call? | 60% | 62% | 80% | 85% | 71% | 63% |
| 6d Something to eat? | 81% | 80% | 80% | 80% | 87% | 83% |
| 7 Within the first 24 hours did you meet any of the following people: | | | | | | |
| 7a The chaplain or a religious leader? | 45% | 44% | 45% | 44% | 49% | 43% |
| 7b Someone from health services? | 75% | 75% | 77% | 77% | 72% | 77% |
| 7c A Listener/Samaritans? | 22% | 21% | 35% | 33% | 21% | 10% |
| 8 Did you have access to the prison shop/canteen within the first 24 hours? | 13% | 12% | 22% | 22% | 7% | 8% |
| 9 Did you feel safe on your first night here? | 67% | 71% | 63% | 71% | 68% | 77% |
| 10 Have you been on an induction course? | 77% | 78% | 88% | 86% | 81% | 86% |
| For those who have been on an induction course: | | | | | | |
| 11 Did the course cover everything you needed to know about the prison? | 58% | 58% | 55% | 57% | 54% | 54% |
| SECTION 4: Legal rights and respectful custody | | | | | | |
| 1 In terms of your legal rights, is it easy/very easy to: | | | | | | |
| 1a Communicate with your solicitor or legal representative? | 38% | 41% | 37% | 45% | 35% | 40% |
| 1b Attend legal visits? | 60% | 57% | 56% | 58% | 60% | 56% |
| 1c Obtain bail information? | 24% | 24% | 28% | 24% | 24% | 24% |
| 2 Have staff ever opened letters from your solicitor or legal representative when you were not with them? | 36% | 41% | 30% | 35% | 43% | 39% |
| 3 For the wing/unit you are currently on: | | | | | | |
| 3a Are you normally offered enough clean, suitable clothes for the week? | 46% | 49% | 53% | 53% | 47% | 51% |
| 3b Are you normally able to have a shower every day? | 74% | 80% | 84% | 90% | 72% | 75% |
| 3c Do you normally receive clean sheets every week? | 78% | 80% | 82% | 83% | 71% | 79% |
| 3d Do you normally get cell cleaning materials every week? | 59% | 62% | 72% | 78% | 59% | 61% |
| 3e Is your cell call bell normally answered within five minutes? | 35% | 35% | 54% | 50% | 38% | 36% |
| 3f Is it normally quiet enough for you to be able to relax or sleep in your cell at night time? | 63% | 64% | 61% | 65% | 47% | 52% |
| 3g Can you normally get your stored property, if you need to? | 24% | 24% | 33% | 31% | 29% | 38% |
| 4 Is the food in this prison good/very good? | 24% | 23% | 29% | 25% | 16% | 13% |
| 5 Does the shop/canteen sell a wide enough range of goods to meet your needs? | 45% | 44% | 50% | 45% | 41% | 42% |
| 6a Is it easy/very easy to get a complaints form? | 74% | 80% | 72% | 80% | 75% | 80% |
| 6b Is it easy/very easy to get an application form? | 82% | 85% | 76% | 85% | 80% | 86% |
| 7 Have you made an application? | 82% | 88% | 83% | 90% | 73% | 76% |

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| Any percentage highlighted in orange shows a significant difference in prisoners' background details | | | | | | |
| Percentages which are not highlighted show there is no significant difference | | | | | | |
| SECTION 4: Legal rights and respectful custody continued | | | | | | |
| For those who have made an application: | | | | | | |
| 8a | Do you feel applications are dealt with fairly? | 51% | 54% | 61% | 66% | 43% 61% |
| 8b | Do you feel applications are dealt with promptly (within seven days)? | 43% | 45% | 55% | 46% | 42% 49% |
| 9 | Have you made a complaint? | 33% | 44% | 40% | 48% | 47% 37% |
| For those who have made a complaint: | | | | | | |
| 10a | Do you feel complaints are dealt with fairly? | 28% | 28% | 47% | 40% | 20% 40% |
| 10b | Do you feel complaints are dealt with promptly (within seven days)? | 34% | 31% | 52% | 43% | 35% 47% |
| 11 | Have you ever been made to or encouraged to withdraw a complaint since you have been in this prison? | 26% | 27% | 22% | 26% | 23% 25% |
| 10c | Were you given information about how to make an appeal? | 16% | 20% | 19% | 20% | 20% 24% |
| 12 | Is it easy/very easy to see the Independent Monitoring Board? | 15% | 24% | 23% | 36% | 16% 23% |
| 13 | Are you on the enhanced (top) level of the IEP scheme? | 19% | 32% | 22% | 32% | 16% 36% |
| 14 | Do you feel you have been treated fairly in your experience of the IEP scheme? | 46% | 52% | 47% | 53% | 35% 52% |
| 15 | Do the different levels of the IEP scheme encourage you to change your behaviour? | 44% | 44% | 43% | 48% | 56% 58% |
| 16a | In the last six months have any members of staff physically restrained you (C&R)? | 7% | 8% | 3% | 6% | 18% 15% |
| 16b | In the last six months have you spent a night in the segregation/ care and separation unit? | 9% | 11% | 5% | 9% | 13% 14% |
| 13a | Do you feel your religious beliefs are respected? | 55% | 54% | 60% | 60% | 57% 47% |
| 13b | Are you able to speak to a religious leader of your faith in private if you want to? | 52% | 56% | 54% | 63% | 64% 51% |
| 14 | Are you able to speak to a Listener at any time, if you want to? | 55% | 56% | 60% | 68% | 39% 42% |
| 15a | Is there a member of staff, in this prison, that you can turn to for help if you have a problem? | 71% | 70% | 81% | 80% | 69% 75% |
| 15b | Do most staff, in this prison, treat you with respect? | 67% | 69% | 78% | 77% | 61% 71% |
| SECTION 5: Safety | | | | | | |
| 1 | Have you ever felt unsafe in this prison? | 43% | 42% | 46% | 41% | 43% 37% |
| 2 | Do you feel unsafe in this prison at the moment? | 20% | 18% | 19% | 14% | 17% 13% |
| 4 | Have you been victimised by another prisoner? | 22% | 22% | 26% | 29% | 27% 24% |
| 5 | Since you have been here, has another prisoner: | | | | | |
| 5a | Made insulting remarks about you, your family or friends? | 8% | 11% | 17% | 18% | 17% 14% |
| 5b | Hit, kicked or assaulted you? | 7% | 7% | 8% | 8% | 13% 9% |
| 5c | Sexually abused you? | 1% | 1% | 2% | 1% | 3% 1% |
| 5d | Victimised you because of your race or ethnic origin? | 4% | 4% | 6% | 4% | 6% 2% |
| 5e | Victimised you because of drugs? | 3% | 4% | 5% | 5% | 3% 2% |
| 5f | Taken your canteen/property? | 5% | 6% | 7% | 7% | 8% 6% |
| 5g | Victimised you because you were new here? | 6% | 6% | 7% | 6% | 11% 9% |
| 5h | Victimised you because of your sexuality? | 1% | 1% | 3% | 3% | 1% 1% |
| 5i | Victimised you because you have a disability? | 2% | 3% | 4% | 3% | 3% 1% |
| 5j | Victimised you because of your religion/religious beliefs? | 2% | 2% | 4% | 2% | 2% 1% |
| 5k | Victimised you because of your age? | 2% | 2% | 4% | 3% | 3% 1% |
| 5l | Victimised you because you were from a different part of the country? | 3% | 5% | 5% | 2% | 7% 8% |
| 5m | Victimised you because of your offence/crime? | 4% | 4% | 5% | 5% | 4% 2% |
| 5n | Victimised you because of gang related issues? | 3% | 4% | 4% | 2% | 9% 6% |

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| SECTION 5: Safety continued | | | | | | | |
| 6 | Have you been victimised by a member of staff? | 26% | 26% | 21% | 21% | 31% | 25% |
| 7 | Since you have been here, has a member of staff: | | | | | | |
| 7a | Made insulting remarks about you, your family or friends? | 10% | 12% | 8% | 8% | 17% | 13% |
| 7b | Hit, kicked or assaulted you? | 5% | 5% | 3% | 2% | 7% | 5% |
| 7c | Sexually abused you? | 1% | 1% | 1% | 1% | 2% | 1% |
| 7d | Victimised you because of your race or ethnic origin? | 5% | 5% | 5% | 3% | 6% | 6% |
| 7e | Victimised you because of drugs? | 3% | 6% | 4% | 1% | 2% | 2% |
| 7f | Victimised you because you were new here? | 7% | 6% | 6% | 3% | 10% | 7% |
| 7g | Victimised you because of your sexuality? | 1% | 1% | 2% | 3% | 0% | 1% |
| 7h | Victimised you because you have a disability? | 3% | 3% | 3% | 3% | 3% | 2% |
| 7i | Victimised you because of your religion/religious beliefs? | 2% | 2% | 4% | 2% | 2% | 2% |
| 7j | Victimised you because of your age? | 3% | 2% | 3% | 2% | 2% | 2% |
| 7k | Victimised you because you were from a different part of the country? | 3% | 4% | 2% | 2% | 4% | 5% |
| 7l | Victimised you because of your offence/crime? | 4% | 4% | 5% | 3% | 4% | 3% |
| 7m | Victimised you because of gang related issues? | 2% | 2% | 1% | 1% | 6% | 2% |
| For those who have been victimised by staff or other prisoners: | | | | | | | |
| 8 | Did you report any victimisation that you have experienced? | 34% | 34% | 55% | 51% | 29% | 27% |
| 9 | Have you ever felt threatened or intimidated by another prisoner/ group of prisoners in here? | 25% | 25% | 31% | 32% | 32% | 30% |
| 10 | Have you ever felt threatened or intimidated by a member of staff in here? | 24% | 24% | 24% | 21% | 22% | 18% |
| 11 | Is it easy/very easy to get illegal drugs in this prison? | 26% | 32% | 19% | 22% | 12% | 18% |
| SECTION 6: Health services | | | | | | | |
| 1a | Is it easy/very easy to see the doctor? | 24% | 28% | 18% | 23% | 28% | 37% |
| 1b | Is it easy/very easy to see the nurse? | 46% | 52% | 47% | 53% | 44% | 53% |
| 1c | Is it easy/very easy to see the dentist? | 8% | 11% | 8% | 10% | 10% | 16% |
| 1d | Is it easy/very easy to see the optician? | 9% | 13% | 8% | 7% | 10% | 16% |
| 2 | Are you able to see a pharmacist? | 47% | 43% | 42% | 37% | 38% | 51% |
| For those who have been to the following services, do you think the quality of the health service from the following is good/very good: | | | | | | | |
| 3a | The doctor? | 44% | 43% | 41% | 44% | 54% | 57% |
| 3b | The nurse? | 58% | 57% | 52% | 59% | 53% | 60% |
| 3c | The dentist? | 25% | 33% | 27% | 38% | 26% | 42% |
| 3d | The optician? | 29% | 34% | 29% | 28% | 35% | 41% |
| 4 | The overall quality of health services? | 39% | 39% | 30% | 37% | 42% | 47% |

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| Health services continued | | | | | | | |
| 5 | Are you currently taking medication? | 48% | 51% | 65% | 68% | 19% | 22% |
| For those currently taking medication: | | | | | | | |
| 6 | Are you allowed to keep possession of your medication in your own cell? | 56% | 55% | 30% | 46% | 75% | 62% |
| 7 | Do you feel you have any emotional well being/mental health issues? | 37% | 32% | 50% | 42% | 22% | 25% |
| For those with emotional well being/mental health issues, are these being addressed by any of the following: | | | | | | | |
| 8a | Not receiving any help? | 42% | 39% | 23% | 24% | 29% | 45% |
| 8b | A doctor? | 35% | 33% | 36% | 40% | 29% | 27% |
| 8c | A nurse? | 20% | 17% | 19% | 22% | 29% | 18% |
| 8d | A psychiatrist? | 17% | 20% | 18% | 22% | 23% | 17% |
| 8e | The Mental Health In-Reach Team? | 26% | 28% | 38% | 38% | 36% | 34% |
| 8f | A counsellor? | 14% | 11% | 11% | 18% | 9% | 5% |
| 9a | Did you have a drug problem when you came into this prison? | 35% | 39% | 34% | 44% | 27% | 33% |
| 9b | Did you have an alcohol problem when you came into this prison? | 27% | 29% | 27% | 31% | 24% | 29% |
| 10a | Have you developed a drug problem since you have been in this prison? | 8% | 10% | 3% | 4% | 3% | 5% |
| For those with drug or alcohol problems: | | | | | | | |
| 11 | Do you know who to contact in this prison for help? | 76% | 83% | 87% | 93% | 65% | 84% |
| 12 | Have you received any help or intervention while in this prison? | 65% | 69% | 81% | 92% | 65% | 81% |
| For those who have received help or intervention with their drug or alcohol problem: | | | | | | | |
| 13 | Was this intervention or help useful? | 74% | 78% | 70% | 83% | 78% | 80% |
| 14a | Do you think you will have a problem with drugs when you leave this prison? (Yes/don't know) | 32% | 31% | 32% | 32% | 25% | 26% |
| 14b | Do you think you will have a problem with alcohol when you leave this prison? (Yes/don't know) | 28% | 26% | 26% | 25% | 22% | 25% |
| For those who may have a drug or alcohol problem on release, do you know who in this prison: | | | | | | | |
| 15 | Can help you contact external drug or alcohol agencies on release? | 48% | 63% | 66% | 79% | 36% | 55% |

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| SECTION 7: Purposeful activity | | | | | | | |
| 1 | Are you currently involved in any of the following activities: | | | | | | |
| 1a | A prison job? | 36% | 45% | 47% | 63% | 28% | 39% |
| 1b | Vocational or skills training? | 8% | 11% | 11% | 18% | 12% | 21% |
| 1c | Education (including basic skills)? | 24% | 25% | 45% | 44% | 44% | 33% |
| 1d | Offending Behaviour Programmes? | 4% | 8% | 3% | 15% | 4% | 11% |
| 2ai | Have you had a job while in this prison? | 59% | 70% | 77% | 82% | 54% | 74% |
| For those who have had a prison job while in this prison: | | | | | | | |
| 2aii | Do you feel the job will help you on release? | 39% | 41% | 55% | 54% | 53% | 48% |
| 2bi | Have you been involved in vocational or skills training while in this prison? | 41% | 54% | 63% | 65% | 51% | 70% |
| For those who have had vocational or skills training while in this prison: | | | | | | | |
| 2bii | Do you feel the vocational or skills training will help you on release? | 46% | 54% | 51% | 62% | 51% | 58% |
| 2ci | Have you been involved in education while in this prison? | 54% | 64% | 86% | 83% | 72% | 79% |
| For those who have been involved in education while in this prison: | | | | | | | |
| 2cii | Do you feel the education will help you on release? | 55% | 61% | 61% | 68% | 57% | 64% |
| 2di | Have you been involved in offending behaviour programmes while in this prison? | 37% | 51% | 56% | 62% | 38% | 65% |
| For those who have been involved in offending behaviour programmes while in this prison: | | | | | | | |
| 2dii | Do you feel the offending behaviour programme(s) will help you on release? | 40% | 50% | 44% | 60% | 37% | 51% |
| 3 | Do you go to the library at least once a week? | 36% | 36% | 44% | 51% | 31% | 28% |
| 4 | On average, do you go to the gym at least twice a week? | 40% | 42% | 36% | 34% | 48% | 50% |
| 5 | On average, do you go outside for exercise three or more times a week? | 39% | 38% | 42% | 38% | 53% | 48% |
| 6 | On average, do you spend ten or more hours out of your cell on a weekday? | 7% | 11% | 15% | 16% | 7% | 8% |
| 7 | On average, do you go on association more than five times each week? | 44% | 51% | 42% | 58% | 41% | 53% |
| 8 | Do staff normally speak to you most of the time/all of the time during association? | 14% | 18% | 29% | 33% | 20% | 24% |
| SECTION 8: Resettlement | | | | | | | |
| 1 | Do you have a personal officer? | 42% | 49% | 61% | 72% | 57% | 69% |
| For those with a personal officer: | | | | | | | |
| 2 | Do you think your personal officer is helpful/very helpful? | 57% | 61% | 74% | 70% | 54% | 65% |
| For those who are sentenced: | | | | | | | |
| 3 | Do you have a sentence plan? | N/A | 41% | N/A | 46% | N/A | 46% |
| For those with a sentence plan? | | | | | | | |
| 4 | Were you involved/very involved in the development of your plan? | N/A | 58% | N/A | 70% | N/A | 57% |
| 5 | Can you achieve some/all of your sentence plan targets in this prison? | N/A | 61% | N/A | 83% | N/A | 82% |
| 6 | Are there plans for you to achieve some/all your targets in another prison? | N/A | 46% | N/A | 41% | N/A | 42% |
| For those who are sentenced: | | | | | | | |
| 7 | Do you feel that any member of staff has helped you address your offending behaviour while at this prison? | N/A | 26% | N/A | 42% | N/A | 39% |
| 8 | Do you feel that any member of staff has helped you to prepare for release? | 9% | 15% | 16% | 27% | 14% | 22% |
| 9 | Have you had any problems with sending or receiving mail? | 45% | 45% | 38% | 32% | 49% | 53% |
| 10 | Have you had any problems getting access to the telephones? | 36% | 30% | 29% | 19% | 45% | 33% |
| 11 | Did you have a visit in the first week that you were here? | 37% | 34% | 37% | 40% | 42% | 37% |
| 12 | Did you receive one or more visits in the last week? | 48% | 39% | 48% | 41% | 59% | 43% |

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| Resettlement continued | | | | | | | |
| For those who have had visits: | | | | | | | |
| 13 | How are you and your family/ friends usually treated by visits staff? (Very well/ well) | 46% | 50% | 49% | 56% | 44% | 54% |
| 14 | Have you been helped to maintain contact with family/friends whilst in this prison? | 32% | 35% | 59% | 58% | 43% | 46% |
| 15 | Do you know who to contact within this prison to get help with the following: | | | | | | |
| 15b | Maintaining good relationships? | 11% | 14% | 12% | 23% | 11% | 15% |
| 15c | Avoiding bad relationships? | 8% | 10% | 10% | 22% | 7% | 11% |
| 15d | Finding a job on release? | 17% | 24% | 24% | 33% | 19% | 25% |
| 15e | Finding accommodation on release? | 19% | 27% | 30% | 44% | 22% | 27% |
| 15f | With money/finances on release? | 10% | 16% | 17% | 28% | 11% | 15% |
| 15g | Claiming benefits on release? | 20% | 31% | 31% | 49% | 19% | 28% |
| 15h | Arranging a place at college/continuing education on release? | 8% | 14% | 12% | 25% | 18% | 19% |
| 15i | Accessing health services on release? | 11% | 17% | 12% | 25% | 11% | 14% |
| 15j | Opening a bank account on release? | 9% | 13% | 5% | 20% | 10% | 12% |
| 16 | Do you think you will have a problem with any of the following on release from prison? | | | | | | |
| 16b | Maintaining good relationships? | 13% | 14% | 20% | 17% | 16% | 16% |
| 16c | Avoiding bad relationships? | 14% | 15% | 19% | 20% | 13% | 17% |
| 16d | Finding a job? | 45% | 49% | 46% | 48% | 50% | 46% |
| 16e | Finding accommodation? | 39% | 38% | 38% | 37% | 39% | 26% |
| 16f | Money/finances? | 28% | 29% | 38% | 27% | 30% | 26% |
| 16g | Claiming benefits? | 30% | 30% | 38% | 33% | 29% | 24% |
| 16h | Arranging a place at college/continuing education? | 18% | 18% | 29% | 21% | 28% | 25% |
| 16i | Accessing health services? | 18% | 18% | 23% | 21% | 9% | 13% |
| 16j | Opening a bank account? | 25% | 28% | 25% | 29% | 18% | 20% |
| For those who are sentenced: | | | | | | | |
| 17 | Have you done anything, or has anything happened to you here to make you less likely to offend in future? | N/A | 45% | N/A | 56% | N/A | 60% |

HM Inspectorate of Prisons is a member of the UK's National Preventive Mechanism, a group of organisations which independently monitor all places of detention to meet the requirements of international human rights law.

