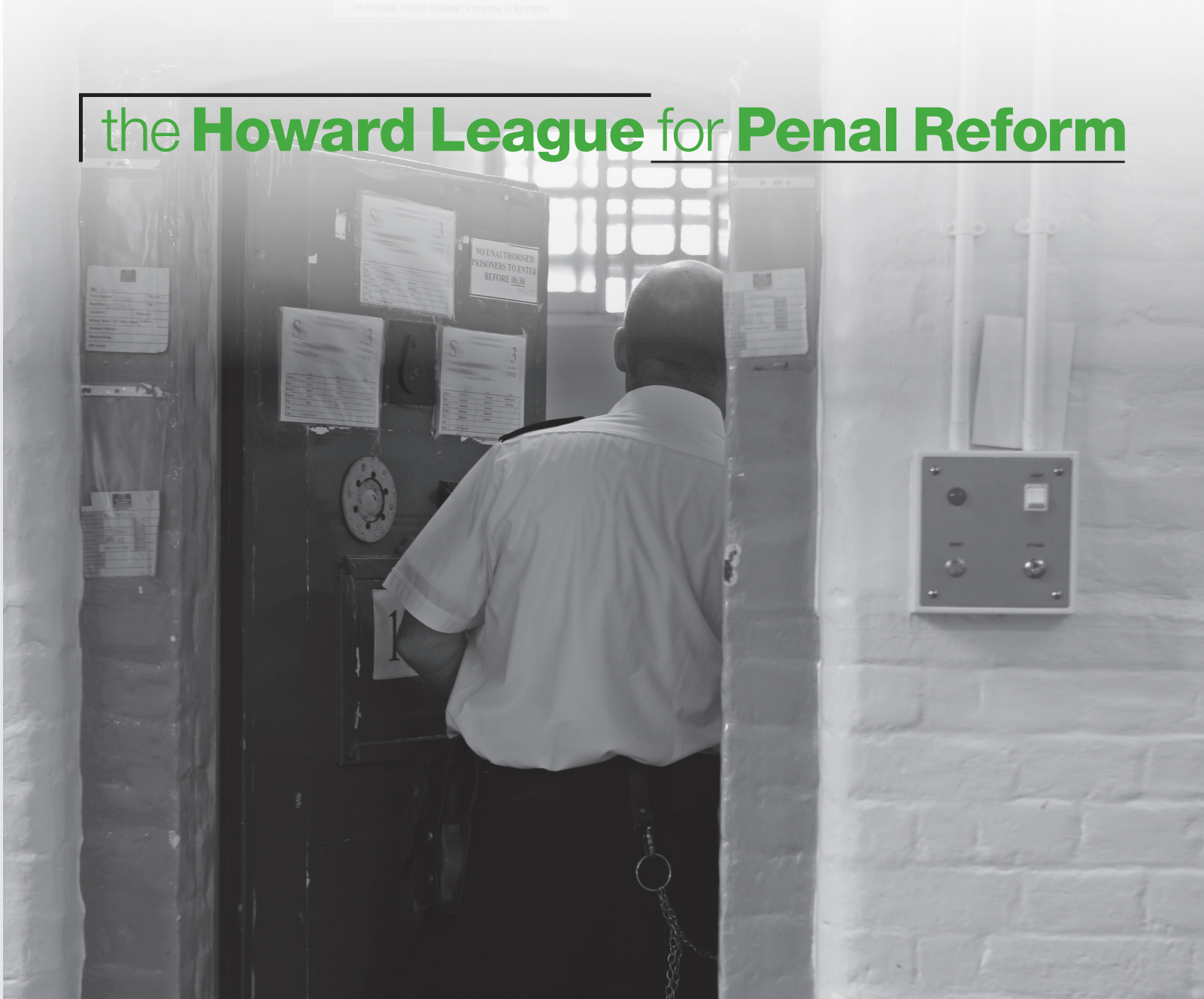


# the **Howard League** for **Penal Reform**



## **Turnkeys or professionals?**

A vision for the 21st  
century prison officer

# **Turnkeys or professionals?**

## **A vision for the 21st century prison officer**

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## **1. Introduction**

The Howard League for Penal Reform has long been campaigning for a root and branch review of the role of the modern prison officer. For too long, discussion has simply focussed on issues of training, which is a limited and constrictive approach. We suggest a much more radical and fundamental review of the role of the prison officer is needed that questions their role, purpose, professional status and points to a new future that serves the public.

At sentencing, a judge decides on the punishment – and if that is prison, then the punishment is the deprivation of the individual's liberty. The prison officer should therefore not have a role in punishing, but their role should entail making the time spent in custody as useful and constructive as possible for the individual involved and for society as a whole.

In order to achieve this, prison officers need to be educated rather than simply trained, and the role of prison officer should move to become a profession. The prison officer should be seen in the same terms as a social worker, nurse or a teacher. We suggest that it should be a graduate profession. As the government has set out to have 50% of the population educated to degree level, prison staff should be at the forefront of benefiting from this.

Our vision relies on a radically reduced prison population whereby only those people who have committed serious and violent offences and are a continuing danger are incarcerated; this allows for a restructuring of the estate and a review of the purpose and strategy for prisons in the new millennium.

In recent years prison officers have been asked to undertake increasingly complex and varied tasks but have not benefited from commensurate remuneration, respect or support. There is a fundamental confusion about what prison officers should be doing. On the one hand the majority spend most of their time doing menial, repetitive tasks relating primarily to a mundane view of security based on counting heads. On the other hand some staff are expected to deliver sophisticated offending behaviour courses requiring intensive interaction with prisoners. There is an inherent contradiction in having a uniformed and barely skilled or literate workforce expected to form relations with and support prisoners with a range of mental health and addiction challenges. There has to be a recognition that prison safety must be based on dynamic security which involves mutual respect between staff and prisoners and good relationships. In order to achieve prisons that serve the public, are safe for inmates and staff and provide much more than simply a warehouse, then prison staff must be the lynchpin for a new vision of the role of imprisonment in the coming century.

Prompted by a suggestion from the Howard League for Penal Reform, the Commons justice select committee launched an inquiry into the role of the prison officer in November 2008. This report is based on our written evidence to the committee and we are publishing it now in order to generate a wider public debate about the future of role of prison staff in the new century. It is time for prison officers finally to move forward from being the turnkeys of the nineteenth century into a fully professional service appropriate for a developed nation in the twenty first century.

## **2. Numbers and attitudes**

Whilst the numbers of prison officers have increased in recent years, this has failed to keep pace with the huge rise in the number of prisoners. This means that prison staff have been constrained from developing their role, as the exigencies of security and limited time take precedence. Between 2000 and 2006, the number of full-time prison officers increased from 24,272 to 26,474. This is an increase of 9%, while over the same period, the prison population has increased by 24% (Hansard, 20 March 2007; Home Office 2005; and NOMS 2007). Put simply, this equates to four prisoners to each prison officer, and as this is a twenty four hour service it often means that just two officers are asked to supervise a whole wing of prisoners. It is often the case that prison regimes are closed down because the staffing levels are unsafe. This means that adult or young prisoners are locked up for days on end with little activity or exercise because there are not sufficient numbers of prison staff to supervise safely.

Staff are disaffected and this is illustrated by the very high staff sickness levels. The average number of days lost due to staff sickness amongst prison officers was 12 in 2007 (Hansard, 16 May 2008). This compares to just 6.5 days at Ministry of Justice headquarters in the same year. Staff turnover remains very low, with the traditional low-skilled prison officer unable to find a job with similar pay, security and benefits outside the prison service. This is why so many prison officers come from a military background: the army is the only other employer with similar benefits for those with low skills and poor educational attainment. The result is that many stay for life.

Few prison officers speak well of their service. 44% of prison staff say they would speak critically about the criminal justice system as a whole, while only 10% would speak highly of it (Duffy et al 2007).

Industrial relations are poor, with the Prison Officers Association leading strikes and other industrial action in recent years. In 2008 the government rushed legislation through parliament to forestall a national strike by prison officers.

There is clearly a chronic and endemic problem in the prison service. Prison officers are under-resourced, under-staffed and overstretched and apparently have little confidence in the system in which they operate. Only a radical root and branch review of the role of the prison officer can hope to address these problems, which lie at the heart of high reoffending rates.

### **3. Recruitment**

Prison officers are currently required to do just eight initial weeks training before they are placed on the wing with prisoners. The training includes:

#### **Week 1 - Establishment induction**

Formal induction programme at allocated establishment. The purpose of this week is workplace familiarisation, to meet line managers and colleagues.

#### **Weeks 2 to 7 - PSC Newbold Revel or local training centre**

This is an intensive combination of classroom-based learning, Control & Restraint (C&R), team building exercises and realistic scenario based learning. There are a number of practical assessments, including C&R and two written exams. An end of course event is usually held on the last Friday morning.

#### **Week 8 - Establishment-based**

Prison officers are given one week at this point to find their way around the prison and meet colleagues. They then begin “operational life”.

#### **Custodial Care NVQ (CCNVQ) Level 3**

All newly recruited prison officers are also required to complete CCNVQ within their probationary period. This is the only formal qualification required to become a prison officer.

The only mandatory element of the basic training programme is in control and restraint, the emphasis therefore focusing on enabling prison officers to manage prisoners through the use of force. Yet the successful prison officer needs to do far more than simply control the prison population. Research shows that dynamic relationships between prisoners and staff have a hugely positive effect on reducing reoffending. Indeed the reliance on violent interventions is likely to be counter-productive.

#### **Education**

It is our contention that becoming a prison officer should be a career that people aspire to, much like the teaching or nursing professions. This means professionalising the service, establishing minimum entry requirements, and making staff more representative of the people they serve so that they can deliver a wholly different sort of public service.

There is currently no minimum educational requirement in order to become a prison officer. Applicants must pass a language and numeracy test, but only the graduate scheme requires a formal qualification – a university degree. This not only has the obvious consequence of a poorly educated workforce, but also sends a signal that the prison service is not a career for the aspirational and ambitious.

As the nursing profession has done in recent years, the role of the prison officer needs to become a graduate career. This is a radical suggestion and would take time to implement. However, we would argue that the prison officer needs to be more than a uniformed warden, whose first priority is security. In order to get to grips with prisoners' offending behaviour, prison officers should require a university degree covering subjects such as prison law, criminology, psychology, sociology,

ethics and mental health. Three year courses in nursing currently offer either a diploma or BSc and provide opportunities for specialisation. This framework could be adapted for an occupational degree programme for prison officers. The government has said that 50% of young people should now go to university. This professionalisation of the UK workforce has had a dramatic impact on careers such as nursing, where previously, uniformed men and women carried out basic hospital work. Nurses now specialise in certain medical fields and are educated to make clinical judgements and perform a wide range of medical procedures.

The Howard League believes that a similar transformation is both necessary and possible for prison officers so that they are educated and able to contribute properly to reducing reoffending. With reoffending rates remaining stubbornly high amongst those leaving custody, prison officers need to be educated in criminology, prison law and mental health. At present, their security-focused role is low-skilled and is not engaging with the real problem at hand: the unmet needs of those in their care.

Training budgets for staff have been devolved and reduced and this means that even the minimal training offered has virtually disappeared. The only compulsory training for prison officers is so that they can carry out physical interventions using restraint procedures. Whilst prison suicide and self-injury rates remain stubbornly high, prison officer training in reducing suicides and distress amongst prisoners has been cut.

The government focus on training instead of occupational education is misplaced. Short training courses can enhance specific skills but cannot provide professional expertise to a workforce. In the same way that no one would expect to place a teacher before a classroom or a nurse in a hospital ward with only a few weeks' training, we should no longer expect prison officers to walk onto a wing of 200 adult male prisoners and deal with the wide range of duties and challenges expected of them. A case in point is the training of prison officers with regards to mental health. The mental health needs of the prison population are increasing, with 80% of prisoners currently suffering from one or more mental health problems (Brooker et al 2008). In 2007, there were 22,459 recorded incidents of self-harm in prison (Hansard, 5 March 2008). Over 100 prisoners were resuscitated during 2007 after serious self-harm incidents, and a further 92 committed suicide (Ministry of Justice 2007b).

## **Race**

Prison officers have traditionally been drawn from the white working class, often following service in the armed forces or those who were not qualified to join the police. This has meant that a predominately white supervisory staff group is overseeing a prison population comprising a significant proportion of people drawn from a wide range of minority ethnic people and cultures. The problems arising from a white uneducated workforce detaining people in a prison where up to 50% prisoners are black was highlighted by events in Whitemoor, a high security prison in Cambridgeshire. Following several deaths and allegations of racism the prison service sent in a team of investigators and the report (unpublished) highlighted serious concerns about a lack of understanding by white staff drawn from a rural community for the issues raised by the increasing numbers of Muslim and other black prisoners.

*"The perception of a lack of support from line management and fear around the diversity agenda was resulting in staff withdrawing from communication and building*



*relationships with prisoners. Staff appeared reluctant to challenge inappropriate behaviour, in particular among BME prisoners for fear of doing the wrong thing. This was leading to a general feeling of a lack of control and shifting the power dynamic towards prisoners."*

(HM Prison Service 2008, p.7)

*"There was much talk around the establishment about 'the Muslims'. Some staff perceived the situation at Whitemoor had resulted in Muslim prisoners becoming more of a gang than a religious group. The sheer numbers, coupled with a lack of awareness among staff appeared to be engendering fear and handing control to the prisoners. There was concern over possible further actions of indiscipline by Muslim prisoners. Rumour and speculation was rife among staff on this subject... Some Muslim prisoners believed they were being harassed for being Muslims and that they were being identified as being gang members."* (HM Prison Service 2008, p.20)

Prison officers need to be more representative of the prison population. On 30 June 2007, across the whole estate 26% of the prison population was from a minority ethnic group (Ministry of Justice 2008a) and in certain prisons the proportion was much higher.

This disproportionality affects the way that prisoners are treated. White men were twice as likely as black men to agree that complaints are sorted out fairly in their prison (HM Chief Inspector of Prisons 2005). In 2007, 40% of Muslim prisoners, compared with 22% of non-Muslims, said they had been victimised by staff (HM Chief Inspector of Prisons 2008).

This stark increase in black and minority ethnic prisoner numbers is currently not being matched at a staffing level, particularly at a senior level. The number of black and minority ethnic staff in governor grade positions represents just 4% of all governor grades. Just 6% of those employed by the prison service are from ethnic minorities (Ministry of Justice 2009a). 61% of black and minority ethnic prison staff have experienced direct racial discrimination while employed in the service. Over half chose not to report it (Prison Reform Trust 2006).

These findings not only reflect a need for diversity training amongst prison officers, but highlight a deeper problem that occurs when prison staff come from completely different backgrounds to the prisoners with whom they are working. A 21st century prison officer needs to reflect the increasingly diverse nature of the prison population, in order better to understand and support prisoners as they address their offending behaviour.

The Howard League for Penal Reform therefore recommends that the prison service begins a recruitment drive for black and minority ethnic prison officers, much as the police have done in the years since the Stephen Lawrence inquiry. In the past 10 years, police officers from minority ethnic backgrounds have doubled in number. This has been achieved through the establishment of agencies such as the National Police Improvement Agency (NPIA), which has put in place national recruitment standards for all forces, to prevent people with racist or discriminatory attitudes joining the police service. Candidates who do not pass the 'respect for race and diversity' element do not get through, regardless of how well they do in other areas.

Initiatives such as this would enable prison officers from all backgrounds to enter the service and improve their development and retention. This is essential if prison officers are fully to engage with prisoners and their needs in reducing reoffending.

## **4. Mental health and the SP inquiry**

The Howard League for Penal Reform legal team has represented hundreds of children and young people in prison with mental health problems. The team has tackled complex issues relating to the treatment and conditions of children in prisons, parole, the provision of support and accommodation for children on release from custody and state accountability for children and young people who seriously self-harm or attempt suicide in custody.

Our clients are often in life-threatening distress and require careful management in the context of complex law and litigation. Our case files tell countless stories of staff inability to cope with these young people, with disastrous results. For example, the case of 'P', a young man who was hospitalised 84 times over an 8 month period, shows staff responding by the use of disciplinary sanctions such as segregation and punishment through external adjudications. Distraught and confused staff were clearly unable to deal with the bloodletting and other serious self-injury in any meaningful way. They set up a "traffic light" system so that 'P' was told he would be on a basic regime with no activity, no reading material or television if he harmed himself but could progress to more activities if he desisted from self-injury. His self-mutilation worsened because of the spartan conditions. The punishments inflicted on him by staff exacerbated his mental distress. It was only when the Howard League legal team used judicial review to get him transferred to a mental hospital where he received appropriate treatment that his self-injury ceased. Prison officers were conspicuously ill-equipped to respond to his behaviour.

Another client, a profoundly deaf teenager, was promised a vibrating alarm clock to enable him to wake in time for education classes as prison staff simply shouted at prisoners to wake them. It was not provided, and when he was late getting up, prison staff in the private prison initiated disciplinary proceedings to punish him. With prison officers unable to provide health, mental health or specialist support, the problems of the many prisoners with complex mental and other health needs are simply exacerbated in the custodial setting.

The Howard League for Penal Reform has secured a public inquiry into the treatment and conditions of a long-standing client, 'SP', during her two years in custody. The SP inquiry is being conducted on the basis that SP's life threatening self-harm whilst in prison service custody triggered the state's investigative obligations under Article 2 of the European Convention on Human Rights. The inquiry provides a vital opportunity to examine the issues surrounding mental health and self-harm in custody, the imprisonment of women and children, and the role that prison officers play in such cases. The investigation will also be unique as SP is alive and able to give evidence at her own public inquiry, as other Article 2 inquiries have involved deaths, for example Stephen Lawrence and Victoria Climbié, or 'near-deaths' in custody, where the subjects survived but were incapacitated after attempting to take their own lives.

In September 2003, SP (17 years old) was referred to the Howard League for Penal Reform because of concern about her treatment and conditions while in prison. SP repeatedly self-harmed in prison and was hospitalised on no less than 20 occasions. Her self-harming was typically 'blood letting' which she would do so often that she



was able to routinely open up old wounds with either her fingers or any implement she could find. She lost so much blood that she required blood transfusions on a number of occasions. It is clear that at times her life was at risk.

What is particularly pertinent here is the response of prison staff to SP's self-harming. Rather than attempt to help this clearly distressed young girl, the response was punishment-oriented, with the regular use of segregation. At one point, SP was in segregation for 20 days and unsurprisingly her self-harming was only exacerbated by this treatment. Whilst in segregation, SP was kept in a locked cell for most of the day. Any exercise was in a metal cage measuring approximately ten foot by eight foot. She spent on average 22 hours in her cell each day.

By September 2005 SP was so ill that her life was hanging by a thread. Our legal team obtained an emergency injunction to prevent her return to prison whereupon she was transferred to a psychiatric hospital. For the first time she received treatment and care consistent with her needs and has improved considerably.

Cases such as SP highlight the extent to which distress manifested by imprisoned people with mental health needs is often treated as a discipline issue by prison officers. This simply exacerbates self-harming and suicidal behaviour. Prison staff are not appropriately qualified to deal with this distressing and challenging behaviour, an appalling and unsatisfactory situation for both hard-pressed staff members and the individuals in their care. It is also true that some prison officers take as a starting point the notion that the people in their custody are troublemakers and not to be trusted. This can lead them to interpret self-harming behaviour as manipulative, designed to procure a benefit for the prisoner, to annoy staff or to get attention. The Howard League for Penal Reform report into violence into penal institutions for teenagers under 18 noted that "some prison officers appear more resentful at being tricked than sensitive to the link between prison conditions, self-harm and the strong feelings of isolation felt by many young prisoners." (Howard League 1995, p. 61)

As long as prisons remain the default response to so much of our society's mental health needs, then the prison service must engage as best it can with those in its care. In order to do this, prison officers need full and appropriate expertise. Currently, only a small minority of prison officers have specialised in mental health training, and this tends to be with a view to safer custody, as opposed to a holistic, welfare-based, patient-centred approach to general rather than acute mental health needs.

## 5. An International Comparison: Norway

Norway provides a model that recognises that prison officers are the core of the penal response to offending behaviour. In Norway, all 3,670 prison and probation staff are trained at the centralised Correctional Service of Norway Staff Academy. The Academy also carries out research and provides information on correctional services and offers further education and in-service training for the employees at all levels. All prison staff in Norway undergo a two year training programme, followed by a one year work placement in prison.

In order to meet the eligibility requirements for the Correctional Service of Norway Staff Academy basic training course, candidates must:

- Have entrance qualifications for higher education, or other relevant training and/or work experience.
- Have the necessary maturity and personal aptitude for employment in the Correctional Service.
- Have completed his or her military service/civil service or are exempted
- Have at least one year of practical work experience.
- Be 21 years of age or older.
- Pass a physical test.
- Have a spotless police record.
- Have a driver's licence.

The Correctional Service of Norway Staff Academy basic training course is structured as follows:

<b>1st year</b>	<b>Pre-course 4 weeks at the Prison Officer College.</b>	<b>Practical work with close supervision and guidance experience of 42 weeks. Two study days weekly.</b>	<b>Exam theme 1</b>
<b>2nd year</b>	<b>Theoretical studies 44 weeks.</b>	<b>Works as prison officers 6 weeks.</b>	<b>Exam theme 2, 3, 4, 5, 6. Project work.</b>
<b>3rd year</b>	<b>Obligatory work placement.</b>		

The six themes are:

- Theme 1: Case criminal proceedings and related law subjects
- Theme 2: Ethics and professionalism in prison work
- Theme 3: Practical prison work and safety
- Theme 4: Criminology and criminal politics

- Theme 5: Milieu therapy work in institutions
- Theme 6: The role of the prison officer

The Correctional Service of Norway Staff Academy offers a centralised, coherent training programme for all prison staff in the country, and is also responsible for research and the continued professional development of prison officers.

This model is based on theoretical, moral and practical education as contrasted with the British model that is skill based training. The Norwegians educate their staff to think; we barely train our prison officers.

## **6. The role of the prison officer**

Prison officers have the most day-to-day contact with prisoners and have a hugely important role in engaging with inmates and reducing reoffending. However, the government is now introducing new systems that will de-skill and downgrade prison officers ever more fundamentally. The envisioned provision of services by a mixture of the private and third sectors has the danger of leaving prison officers as little more than turnkeys.

Although the chief pressure on prison officers is security, providing prisoners with a proper level of care is also a key part of their role. One of the principle ways of achieving this is through dynamic security, where staff spend more time engaged with prisoners, developing effective relationships and reducing feelings of isolation. A static regime relying on barred gates and technology and where the emphasis is on control, monitoring and restriction of movement may be less costly. Such a regime, however, will not deliver the government's aspirations to reduce reoffending effectively. Instead, prison officers need to be properly engaged with prisoners, with high staff-prisoner ratios that allow them time to provide guidance and models, deliver programmes and form constructive relationships.

Plans for workforce reform are predicated on reducing the wages of prison officers, reducing even further the educational qualifications required, and reducing the training provided. It is the concern of the Howard League for Penal Reform that this is likely to result in increased reoffending rates and risk to the public.

Initial training will be curtailed to just a handful of weeks and as general prison budgets are likely to be seriously restricted due to public expenditure cutbacks across the board, staff will not benefit from on the job training either.

Prison officers' professional status should instead be enhanced in order for them to contribute more effectively to public debate as practitioners. One of the unfortunate consequences of the relative invisibility of prison officers' work is that their public image is unintelligent, insensitive and brutal – individuals who routinely assault and abuse prisoners and who are capable of little more than turning a key.

Yet it is not enough simply to change the calibre of those who train to be prison officers, nor is making the profession one for graduates sufficient in achieving the lasting and radical changes we envisage. The continued professional development of prison officers through protected and high-quality in-service training is a vital part of this vision. Just as teachers receive training through INSET days, provided by the Training and Development Agency for Schools, so too should prison officers be given regular periods out of work for their own professional development and specialisation. This would support the entire Prison Service, through keeping all prison officers on top of new policy and practice, through allowing for specialisation, and through allowing for career development and promotion through merit, rather than longevity.

## 7. Prison expansion and the changing role of the prison officer

In April 2009, the government announced it was abandoning widely discredited plans for Titan prisons, or 'large prison complexes', and replacing them with proposals to build five 1,500 place prisons. This is intended to bring the total capacity of the prison estate to 96,000 by 2014. While the Howard League welcomed the cancellation of the Titan plans, we remain concerned about the government's continued support for the policy of prison expansion, which will have a deleterious impact on the role of the prison officer. As prison numbers accelerate upwards at an alarming rate, even with the early release measures in place, the government's response is to build its way out of the crisis, rather than address obvious problems in sentencing.

A central premise of the government's prison expansion plans is cost-effectiveness. In the paper outlining its expansion plans, the government stated: "We need to make ambitious efficiency savings, achieving our goals with fewer resources." (Ministry of Justice 2009b, p. 3). Even with the planned additional prison places, the Howard League for Penal Reform does not believe it will be possible to free up resources to make further improvements in efforts to reduce reoffending. It will be all the government can do to keep the prison system delivering basic amenities and current levels of safety. This means accepting that up to 100 people will take their own lives each year, that there will be several murders, that staff and prisoners will be attacked and that communities will suffer from more crime. The only feasible solution is radical sentencing reform and a resiling from populist but irresponsible policies such as the indeterminate sentence for public protection (IPP). This appears not to be on the political menu at present.

We are concerned about the inconsistent message from the Ministry of Justice on 'staff savings'. The Titan regimes were described with the hallmarks of both static and dynamic elements. "New technology" such as "biometric scanning, bar coding, electronic door operation" was originally described in the Carter Review as "allowing long term operational effectiveness and greater efficiencies". The review stated that "optimal sight lines" would result in "better staff utilisation and **deliver staff savings**" (Ministry of Justice 2007c, pp. 38 our bold).

This was changed in the Prison Policy Update (Ministry of Justice 2008b) and the reference to delivering staff savings was dropped. The Ministry of Justice's 2008 consultation paper on Titans explicitly talked in terms of dynamic not static regimes: "Making use of up to date technology to improve physical security and information sharing and therefore allowing staff to spend more time engaged with prisoners, developing effective relationships and reducing feelings of isolation." (Ministry of Justice 2008c, p. 28)

In his announcement of the new 1,500 place prisons in April 2009, Justice Secretary Jack Straw stated that these jails would "have built in new technology to increase security and disrupt the supply of drugs and mobile phones." (Ministry of Justice 2009c) We are therefore concerned at the inconsistent message from the Ministry of Justice on the level of and emphasis on staff engagement that these new prisons will allow.

Furthermore, we have no assurance that these changes in message are not still essentially selling a policy that seeks to deliver staff savings. While pressing ahead with prison expansion, the government must ensure that attempted economies of scale do not compromise the need for larger prisons to be based on a dynamic regime emphasising a high staff to prisoner ratio and strong staff-prisoner relationships. These 1,500 place prisons must not be allowed to undermine the huge advances in prison relationships achieved in the past decade or so, with technology, economies of scale and cost effectiveness reducing prison officers to little more than turnkeys.

The location of the 1,500 place prisons also poses potential problems in terms of the role of the prison officer. Situated on brownfield sites out of inner cities, they are more likely to draw staff from the white population, further exacerbating the prison service's already chronic under-representation at black and minority ethnic staff level.



## **8. Conclusion**

While improvements have undoubtedly been made in the past few years in terms of increased dynamic relationships between prison officers and prisoners and allowing some staff to deliver thinking skills and behaviour programmes, it remains the case that prison service staffing needs radical rethinking. The Howard League for Penal Reform suggests that this should be a root and branch review, addressing the backgrounds that prison officers are drawn from, the training they receive, the job they do and the professional development they go through during their careers.

The prison officer's role is not to punish. Punishing is a decision for the sentencing judge alone and the element of punishment in a sentence is the deprivation of liberty. Prison officers should help to reform and rehabilitate the prisoner which they do on behalf of the public. It is time that this critical role is recognised, respected and rewarded.

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The Howard League for Penal Reform works for a safe society where fewer people are victims of crime

The Howard League for Penal Reform believes that offenders must make amends for what they have done and change their lives

The Howard League for Penal Reform believes that community sentences make a person take responsibility and live a law-abiding life in the community

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