



Howard League for **Penal Reform**

2016–2017 Annual Review



Report of the chair of trustees



I took over as chair of the board of trustees at the end of 2016 when Sue Wade stood down as a chair after she had served almost 20 years as a trustee. The charity is lucky to have trustees who give their time, energy and commitment over many years, contributing to the direction and success of our work. Sue Wade made a special contribution to the work of the Howard League at a time of change for the charity, the penal landscape and the more general role of charities in the life of the nation.

We also said goodbye to some valued and long standing trustees. Jan Anderson, Professor Neil Chakraborti, Professor Penny Green, His Honour John Samuels QC and Chris Sheffield OBE had all given generously of their time and their talents.

I hope my own experience as a prison governor will mean I can bring a fresh vision of what reform can mean. I have worked with the Howard League for many years, most recently as part of its Commission on Sex in Prison.

The responsibility of the board of trustees to set the strategy and oversee funding and fundraising is a daunting one for any group of people, it is more so when leading a national charity of such standing and influence. This report includes the time the Howard League celebrated its 150th birthday – quite an achievement for any organisation.

I am particularly proud of the work the charity has conducted in the last year that has its roots going back over many years. The success at reducing child arrests has helped many tens of thousands of children and the robust judicial review challenging the cuts to legal aid for prisoners are both initiatives to be celebrated.

The board will be setting a strategy for the Howard League at a time when prisons are in a worse state than any time in decades, when the chief inspector said that community sentences were making little difference to the lives of people who already have little hope, and when budgets in social care are under strain. We have a challenging task ahead.

Eoin McLennan-Murray

Report of the chief executive



The charity has achieved significant impact this year in the face of challenges in the fast changing politics of the country and having to work with the fifth justice secretary in seven years.

The charity won the judicial review, taken jointly with the Prisoners' Advice Service, to overturn the ban on legal aid for prisoners to help ease them through the system in the court of appeal.

We had a success in the high court when our legal team represented a child who had been held in isolation for months in Feltham prison.

Our work with police across the country has paid off yet again with another substantial reduction in child arrests, with the result that we prevented hundreds of thousands of children from experiencing the trauma of arrest.

We launched the programme of work to end criminalisation of children in residential care and already there are changes taking place.

The legal team has responded to over 1,300 calls on the advice line and has helped children and young adults with challenges to poor treatment and conditions and fought to get proper release plans.

These are some of the big things, but there have been small steps along the way too. We engage with the public to fulfil our educational responsibilities by giving talks to students and practitioners and we communicate through traditional and social media.

This is a huge programme of work for a relatively small team. I lead a dedicated, expert and energetic staff team who often have to deal with distressing individual stories and challenging issues. I am proud of them.

Frances Crook

Report of the trustees



Bedford MP, Richard Fuller, trustees and members cutting our 150th year celebration birthday cake

The board of trustees has set the charity's vision for the coming five years to work for less crime, safer communities and fewer people in prison. The trustees stated the aims for the charity:

- To stay radical
- To stay ambitious
- To continue to be influential

The board of trustees reiterated the importance of the independence of the Howard League for Penal Reform as the foundation of its ethical and charitable mission.

The board confirmed that the guiding principles and direction of the charity are well established and are based on:

- Creating capacity for new ideas and fostering rigorous research and discourse
- Providing public, civic and government education and information

- Campaigning for reform
- Taking strategic legal casework
- Ensuring that the charity is well governed

The chief executive and her team developed an operation plan focussed on using the charity's limited resources to achieve maximum impact.

The key aim was to stem the flow into the penal system and the work was divided into five strands:

1. To promote safe communities
2. To influence sentencing to reduce the use of prison
3. To reduce and improve contact with the criminal justice system for children and young adults
4. To foster a good and useful life inside prison
5. To increase the strength and influence of the organisation

Safe communities

The charity warned that disruption of the national probation service and its division into two arbitrary and distinct services, one part delivered by private companies in 21 areas and the rump of a national service, was a disastrous policy. So it has proved. HM chief inspector of probation judged the provision to be making little difference to public safety – so ineffective were the commercially run community rehabilitation companies that they were making negligible impact on the rehabilitation of prisoners.

For decades the Howard League had campaigned to enhance community sentences as a route for people who have offended to make amends. Sadly, this is no longer an option because community sentences no longer offer a viable and safe option. Our focus has therefore changed to working in partnership with community organisations and police to keep people out of the criminal justice system altogether. It is now the case that community sentences and prisons are both so ineffectual and toxic that people getting caught in the net are likely to be damaged by this experience rather than helped to lead a law-abiding life. Rehabilitation is no more than a pipedream.

We now work to support voluntary groups and statutory services which are aimed at preventing crime and contact with the criminal justice system. Almost 100



Winners of a Community Award, Dorset Police

nominations were submitted to celebrate the work of these organisations across England and Wales. The 2016 awards conference brought together police, charities, health services and local government to highlight their successes.

Following presentation of the awards we work with the winners to hold 'open days' in their local area that bring together service users, academics, politicians and local media to inform and celebrate.



Howard League criminal justice champion winner, Gail Spruce from Greater Manchester Police

The winners

The Checkpoint programme in Durham Constabulary, that diverts low and medium level offenders

Wakefield Liaison & Diversion and Wakefield All Age Liaison and Diversion, commissioned by the NHS

The nationwide programme of Police/Youth Restorative Engagement Forums

The Good Loaf Community Interest Company in Northamptonshire

The Dorset Police Triage Scheme

The Criminal Justice Champion of the year was Gail Spruce of Greater Manchester Police for her work to prevent child overnight detentions

Sentencing

Prisons are in crisis. Their very purpose is confused and there is no longer public confidence in them. The year has seen people taking their own lives at a rate of a death every three days. People are dying of diseases and drugs which in any other setting could have been dealt with safely. There is a record level of violence and assaults and crime inside prisons is now out of control. There does seem to be, however, a general recognition that this is untenable and radical change must come. Even The Sun newspaper had an editorial stating that too many people were being sent to prison.

The Howard League has played an important part in educating the public about the problems and possible solutions. We issue statements to the press based on our legal casework that gives background to the bleak inspection reports. We provide information to MPs and peers for their debates and questions. The chief executive meets ministers and staff liaise closely with officials from across the ministries.

The charity has focussed its attention on realistic change that would ease the overcrowding and improve justice and safety inside prisons as we recognise that fundamental reform of sentencing, whilst urgently needed, is unlikely. As the fifth secretary of state for justice in seven years starts his learning process it will take time for him to appreciate the scale of the challenge he faces and what options he has at his disposal.



The chief executive wrote to the new secretary of state following the general election in June 2017 with three action suggestions.

Firstly, the charity is calling for an end to the use of additional days imposed for minor infractions inside prisons. This punishment regime is contributing to the downward spiral in prison conditions as it has resulted in more than a million days of additional imprisonment in the last five years. It corrupts prison justice by embedding a sense of unfairness.



The second action we suggested was to put an end to short term recalls. A previous secretary of state deconstructed and destroyed the probation service. He gave the community rehabilitation companies supervising people returning to the community after a short prison sentence the power to impose a recall to prison. This power has been used profligately with 10,000 recalls each of just a few days.

The third action point was to ease people through the prison system more

quickly and more safely. Average prison sentence lengths have grown out of control and England and Wales has a lifer and indeterminate population greater than all the other 46 nation states in the Council of Europe combined.

Our participation work with young people in the penal system focussed on their experiences of court and we called for formal sentencing principles for young adults to reflect age and maturity.

The charity provides support to the All Party Parliamentary Group on Women in the Penal System, chaired by Baroness Jean Corston and Victoria Prentis MP. The Group held hearings to consider evidence from expert witnesses on sentencing of women.

Professor Nick Hardwick, Chair of the Parole Board, delivered a lecture for the charity, to a packed audience, about plans to ease people through their custodial sentence more quickly and fairly.

The three year battle to overturn the cuts to legal aid for prisoners has, probably, come to an end. The Howard League and Prisoners' Advice Service challenged the then Secretary of State's cuts to legal aid and the Court of Appeal decided in our favour in 2017. Access to justice for prisoners is helping them to progress through their sentence fairly, quickly and safely.

Children and young adults

One of the greatest achievements of the charity has been the partnership work with the police to reduce child arrests. When the Howard League first investigated this gateway into the criminal justice system a decade ago, we revealed that the police in England and Wales carried out a quarter of a million child arrests in a year.

In August 2017 we published the latest in our annual reviews of child arrests that showed a two thirds reduction. Hundreds of thousands of children have been saved from the trauma of arrest. Police have been able to devote resources to serious crime instead of being tied up with naughty teenagers.

The Howard League achieved this downward trajectory by working closely with the police across the country, meeting chiefs and their senior teams and spending time at the front line to disseminate good practice. Public education has been a critical element of the campaign and when we published the latest figures staff did more than 40 radio and television interviews and our work was extensively covered in local press.

Charities have traditionally helped individuals by trying to undo damage, often taking the place of state services. Increasingly trusts and donors want to count this sort of output in order to secure their philanthropy. Our success has been in preventing the damage being done

in the first place. We are preventing children from being swept along in the torrential river of the criminal justice system. This leaves parents, schools and communities to carry out their responsibilities in guiding children to lead fruitful and law abiding lives.

Our partnerships with the police across the country have revealed systemic issues with children's homes. Children aged 16 and 17 living in children's homes are at least 15 times more likely to be criminalised than other children of the same age. The Howard League has launched a major two year programme of work to end the criminalisation of children in the residential care.

The trustees are proud to have secured this success and that it resulted in a commensurate two thirds reduction in children going through prosecution and courts and consequently ending up in custody. We have succeeded in stemming the flow into custody.

It is a sad fact that too many children are still sentenced and remanded to penal custody. Despite the reduction in the number of children in custody, conditions have deteriorated in most institutions. The Howard League legal team is the country's only dedicated service for incarcerated children and young adults. The legal advice line deals with over 1,300 calls for help each year.



The in-house solicitors and caseworkers help young people with adjudications in the prison, transfers and improving conditions and help to get sensible and safe release arrangements.

We are working with children on their rights in prison and release as part of a European project on children in detention.

The charity took judicial review proceedings on behalf of a 16 year old boy held in isolation for nearly six months in Feltham prison. The court found the lack of education was unlawful and we are now appealing one element of the judgment to establish firmly that holding children in solitary is just plain cruel.

The legal team helped a 15 year old child with mental health problems who had been unlawfully held in a police station for

two days. A magistrates' court had issued a warrant for his arrest and detention until he could be brought to court as he had not paid a fine. The magistrates had no power to do this as he was a child. As a result of our case that unlawful practice has been suspended and new guidance prepared to stop this happening again.

The legal team organises discussion and training events for professionals working with young people in the justice system. Our Lawyers' Network held a meeting to launch the report on sentencing of young adults. Our research team organised a meeting of our What If? programme attended by nearly 100 senior practitioners, lawyers and academics to discuss the future of parole with speakers Professor Nicola Padfield, Nick Hardwick and Dr Laura Janes.

Prisons

At the beginning of the year covered in this annual report, autumn 2016, the then secretary of state for justice, Liz Truss, secured additional funding to recruit more staff to make up some of the shortfall created by the cuts imposed by one of her predecessors. By the end of the year the secretary of state has changed yet again and the legislative reforms promised before the general election have been abandoned. Prisons are deteriorating and there seems to be no plan to address this.

The trustees take their public education responsibility seriously. The charity issues public and media statements to educate the public about penal issues.

Over the year the charity commented on deteriorating safety and the increase in self-injury and assaults in prisons. There were 26,643 recorded assaults and 40,404 recorded self-injury incidents in prisons in one year, a significant increase on the previous year.



Frances Crook, Ian Hislop, Claire Tomalin, Edward Bonham Carter and Emma Bridgewater and friends went to share a meal with prisoners inside Wandsworth prison

In just five months in 2017 we issued statements on the overcrowding, violence, drugs and filth in Bristol, Feltham, G4S run Birmingham, Brixton, Pentonville, Garth, Guys Marsh, G4S run Parc, Swinfen Hall, Featherstone, Exeter, Cookham Wood and Hewell prisons.

We published an analysis of deaths in prison. Throughout 2016, 119 people died by suicide, including 12 women. A total of 354 people died in prisons, an increase of 38 per cent and a record high.

We worked in partnership with the Centre for Mental Health to publish a series of briefings based on interviews with staff and prisoners suggesting reform that would save lives.

Arising from our legal representation of children and young adults in prisons we researched the use of draconian punishments being used as conditions worsened in a desperate and counter-productive attempt to keep control. We found that more than 215,000 days – or 590 years – of additional imprisonment had been imposed on prisoners found to have broken prison rules last year. It is no coincidence that prisons with the most crowding, worst conditions and staff problems also impose the highest number of additional days.



Strengthening the charity



Father and son, George and Ed Wilkinson, raised funds for the Howard League by walking from one prison to another, starting at Wormwood Scrubs and ending at Belmarsh. Here, presenting the money raised to Catryn Yousefi and Euginia Lolomari in our offices

The charity is fortunate in receiving generous support from trusts, individuals and members. Some years ago we benefited from a legacy gift from a long time supporter. This money was invested in achieving our charitable objectives, new specified activities and in long term development. We recruited several thousand new regular donors who continue to support our work. We are now looking to the future as the funding landscape has changed and trusts are increasingly supporting charities that have moved into delivering services, many of which would in the past have been within the remit of the state. The Howard League for Penal Reform has never sought or accepted government funding. The charity sees itself as being at the cutting edge of exploring new ideas and finding new

ways of creating safer communities, less crime and fewer people in prison.

The Howard League has a strong staff team that includes experts who have contributed to our work for many years and staff who have recently joined. Many former employees have gone on to glittering careers in the law and public service.

The charity aspires to conform to the highest standards of good governance, probity and efficiency. It is established as a registered charity and a company and has prison and public law contracts with the Legal Aid Agency.

The Howard League is active on social media with nearly 25,000 followers on Twitter and an active Facebook presence. Regular e-bulletins are sent to our 20,000 supporters and the newspaper,



Dame Janet Beer, vice chancellor of Liverpool University and Sara Thornton QPM, chair of the National Police Chiefs Council, spoke at the annual conference, with Frances Crook

The Howard, is produced twice a year and posted to 12,500 members.

Our media presence is very vibrant as we are asked to comment daily on television, radio and in the press. Our publications and initiatives are well covered by all media. For a medium sized charity, the Howard League succeeds in its public education duty by achieving a significant media presence and so can contribute to the public discourse.

We work closely with academics across the disciplines and support a lively network of early career academics.

Staff travel the country giving talks to university students and a wide range of other organisations.

We work with charities, statutory agencies, officials, and academia to share learning, explore ideas and campaign for change.

The board of trustees meets regularly to review the strategy and financial planning and to make sure the charity complies with the highest standards of governance as well as its legal obligations. We set out the charity's objectives for the year in our 2016 annual report and the trustees are confident that we worked together effectively to achieve our goals. We work in a fast changing world, with five different secretaries of state in seven years which has resulted in political stasis and a penal crisis. The work of the Howard League is needed now more than ever.

Finally, the trustees want to record their thanks to members and donors who make all of this possible. The Howard League for Penal Reform relies on voluntary gifts from individuals and trusts and income from our activities. We are grateful to everyone who contributed.

It is increasingly rare for charities to be truly independent of government funding and the Howard League guards its integrity with pride.

Publications

Publications 2016 to 2017

Published on the Howard League website and available free of charge in hard copy

Annual report and accounts 2016

Preventing prison suicide, in partnership with the Centre for Mental Health

Preventing prison suicide, staff perspectives, in partnership with the Centre for Mental Health

Is this the end of women's centres? All Party Parliamentary Group on Women in the Penal System

Out of control: Punishment in prison

Child arrests in England and Wales in 2015

Child arrests in England and Wales in 2016

Ending the criminalisation of children in residential care, briefing one

Various submissions to Parliamentary committees and statutory reviews

Supervisible: Experiences of criminal justice supervision in Scotland by Professor Fergus McNeill, University of Glasgow

Supervisible: Experiencing probation and supervision in Germany by Professor Christine Graebisch, Dortmund University



Trustees

Matthew Ball
Dr Rachel Condry, co-opted
Samantha Kennedy
Sally Lewis, Treasurer
Gerry Marshall
Elizabeth Morony
Eoin McLennan-Murray, Chair
Lucy Scott Moncrieff
Professor Pamela Taylor
Danielle Vidal

Staff during the year

Lorraine Atkinson	senior policy officer
Ellie Butt	senior policy officer
Oscar Campbell	graphic designer
Jen Chambers	senior policy officer
Frances Crook	chief executive
Anita Dockley	director of research
Louise Eardley	caseworker
Marie Franklin	caseworker
Alastair Gordon	caseworker
Philip Goring	finance officer
Dr Laura Janes	legal director
Euginia Lolomari	director of finance
Sophie Lumsden	membership manager
Sinead MacCann	solicitor
Nina Navid	caseworker
Andrew Neilson	director of campaigns
Barbara Norris	events & website manager
Rob Preece	communications manager
Claire Salama	solicitor
Louise Scarce	membership officer
Anna Spencer	caseworker
Terri Sturman	membership officer
Catryn Yousefi	programmes manager

Editor of the Howard Journal of
Crime and Justice

Professor Ian Loader

Publishing editor

Brenda McWilliams

Managing editor

Anita Dockley

The Howard League for Penal Reform is grateful to Clifford Chance LLP for seconding trainee solicitors to support the legal work for children and young people in custody and for the use of its premises for events.

The Howard League for Penal Reform benefited from the contribution of students and voluntary interns during the year.

Thank you.



Plans for 2017–2018

Strategic aim: To have fewer people in prison

The Howard League for Penal Reform will work to reduce the prison population

We will make the case for radical sentencing reform

We will work to reduce recalls and extra days

Strategic aim: To work for less crime and fewer children and young people in the penal system

The Howard League for Penal Reform will work to reduce child arrests and end the criminalisation of children in residential care

We will work to improve access to justice for young people

We will work to improve the treatment of young people in custody

Strategic aim: To foster a good and useful life inside prison

The Howard League for Penal Reform will help to create a healthier prison culture

We will work to establish real work in prisons

We will help to reduce violence and deaths in prison

Strategic aim: To develop partnerships to promote safer communities



The Howard League for Penal Reform will identify and promote best practice in the community

We will carry out public education on what makes communities safer

We will promote trust, fairness and civil rights

Strategic aim: To increase the strength and influence of the organisation

We will work to recruit new members and committed givers and increase our contacts

We will maintain our fundraising income

We will develop influence with opinion leaders, practitioners and supporters

We will be a hub for participation

We will ensure sound governance



Financial review

Hon treasurer's report

The Howard League for Penal Reform continues to be successful in generating income.

The organisation had an annual expenditure of £1.3m and total funds of £2.8m, which includes the freehold on our headquarters building valued at £1.2m.

The income received was just over £1m, a slight decrease from the previous year.

The charity successfully applied for continuation funding for aspects of the participation work with young people and secured £450,000 from the Big Lottery over three years. The project ends in March 2018.

Consistent with our budget plans we ended the year with a deficit, before investment movements of £310,430 compared with a deficit of £553,136 in the prior year. We have been drawing on the legacy we received some eight years ago in a planned drawdown to invest in our achieving our charitable objectives.

However due to a significant gain on investments of £161,448 the overall deficit for the year was reduced to £148,982. The charity continues to develop new streams of income to create a platform of sustainable funding.

Funding from the strategic reserve supports our policy and communications work, membership recruitment, the research programme and the legal work for young people in custody.

Restricted funds received for specific projects or purposes that are not available for general use stand at £397,794.

The board of trustees review the reserves policy annually and we aim to ensure that adequate funds are held to run the charity for a period of at least 12 months. As at the end of the year, our free and unrestricted reserves would cover just over a year at current expenditure levels.

Investments

The trustees have the power to invest in such assets as they see fit. Investment decisions have been taken with a view to maximising the return at a low level of risk, maintaining reasonable access to ensure the availability of funds for the purposes they are intended, and avoiding investments that are not compatible with the aims of the Howard League or which are detrimental to its wellbeing.

As at 31 May 2017, the charity's holding in Schroder's Charity Multi Asset Fund was valued at £1.1m.

Sally Lewis OBE



Summary of financial information 2016/2017

Income

Donations and legacies	£249,121
Other trading activities	£47,920
Investment income	£50,567
Charitable activities	£722,778
Total income	£1,070,386
Investment gains	£161,448

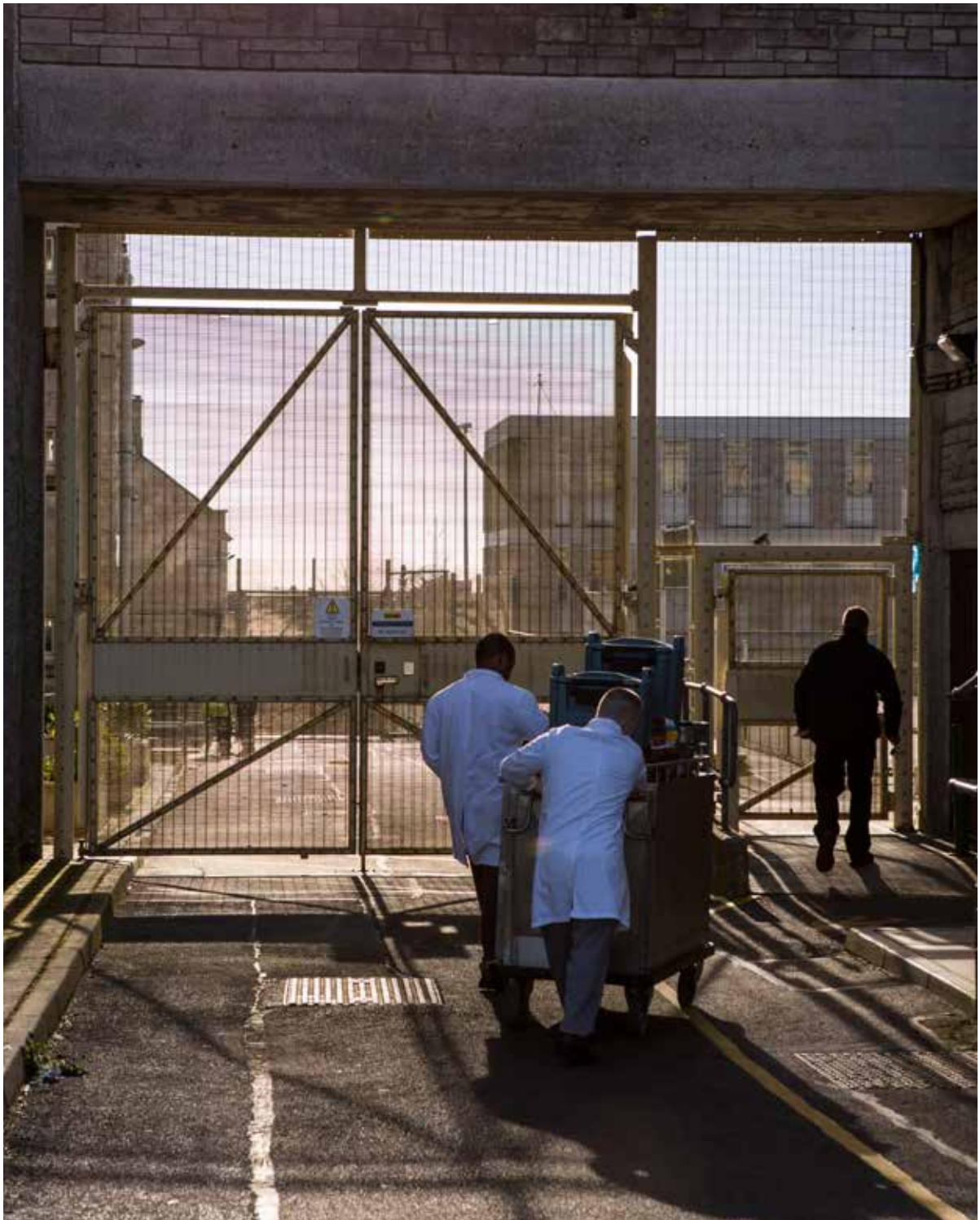
Assets & liabilities

Asset Type	Asset Value
Own use assets	£1,206,820
Long term investments	£1,159,419
Other assets	£577,503
Total Liabilities	£(69,773)

Expenditure

		% of total spending
Raising funds	£100,800	7%
Charitable activities	£1,280,016	93%
Total expenditure	£1,380,816	

The summary of financial information shows the income raised for our activities, the cost of raising the income and amounts spent on our charitable activities. The information is taken from the full financial statement which was approved by the trustees on 17 October 2017. In order to gain a full understanding of the financial affairs of the charity, the full audited financial statements, trustees' annual report and auditors report can be consulted. Copies can be obtained from the Howard League offices or www.howardleague.org







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