

The Howard

HIGH STAKES



A MAJOR investigation into the links between crime and problem gambling has been launched by the Howard League for Penal Reform. The Commission on Crime and Problem Gambling will run for three years with the former Attorney General, Lord Goldsmith QC, as Chair. Concern about harmful gambling activity has been growing for some time, but this is the first time that a Commission has focused specifically on the relationship between problem gambling and crime. Lord Goldsmith QC said: "The Commission will seek to establish what the links are; what impact they have on communities and wider society; and, crucially, what steps could be taken to reduce crime and make people safer."

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The Howard
Political chaos, but positive impact

IMPACT is the theme of this edition of *The Howard*, as we look at how the Howard League has been able to achieve change in spite of the ongoing uncertainty at Westminster.

Since 2016 the charity has been campaigning to end the criminalisation of children in residential care. Government figures indicate that this work is making inroads, with rates of criminalisation beginning to fall. A new step-by-step guide will help lawyers to advocate for looked-after children at the police station (page 5).

Now the Howard League is looking to deliver positive change in other areas, as several new projects get under way.

A three-year Commission will investigate the links between crime and problem gambling, and how people affected by it can be diverted from the criminal justice system (page 1).

Keeping women out of the system is the target of a campaign to reduce arrests, supported by MPs and peers (page 3).

A new programme in prisons will find ways of reducing conflict, violence and injustice behind bars (page 6).

There is more to do, however. Prisoners are still struggling to get books (page 7), and the work of the Howard League legal team is needed more than ever.

The charity's advice line receives calls time and again about children who are being held in custody because they do not have a home to go to (page 8).

This is why the Howard League will keep working for less crime, safer communities and fewer people in prison.

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The Howard is published by

Howard League for Penal Reform

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Social harms, crime and justice on the agenda as experts meet for international conference

EXPERTS are being encouraged to submit abstracts for a major Howard League conference at the University of Oxford.

The two-day Crime, Justice and Social Harms conference will bring together academics, researchers, policy-makers, practitioners and people who have been directly affected by the criminal justice system.

The event, at Keble College, will run from Tuesday 31 March to Wednesday 1 April 2020.

Anita Dockley, Research Director at the Howard League for Penal Reform, said: "How social harms are understood, questioned and tackled can have a profound effect on how communities approach crime and justice.

"This conference comes at a time when communities across the world are experiencing change and uncertainty affecting how they understand themselves and challenges to the status quo.

"Coping with, responding to and supporting such uncertainty and change brings challenges for political institutions, criminal justice agencies and civic society



The event will be held at Keble College, Oxford, on 31 March and 1 April 2020

in developing values, strategies and systems.

"We will bring together academics, policy-makers, practitioners and those directly affected by the criminal justice system to discuss, reflect on and

suggest alternative strategies."

The charity is looking for papers from experts within the criminological and legal disciplines, as well as contributions from fields of study including philosophy,

geography, political science and economics.

The deadline for abstract submissions is 2 December 2019. Visit www.howardleague.org/events/crime-justice-and-social-harms for more information.

Director of Public Prosecutions, Max Hill QC, to deliver prestigious Howard League Lecture

THE Director of Public Prosecutions, Max Hill QC, is to give the 2019 Howard League Lecture.

The event will give Howard League supporters the chance to find out more about the work of the Crown Prosecution Service.

Max Hill QC (pictured right) qualified as a barrister in 1987 and was appointed Queen's Counsel in 2008.

He was appointed Director of Public Prosecutions by the Attorney General in 2018, having been the Independent Reviewer of Terrorism Legislation.

The Howard League Lecture is held annually in memory of Lord Parmoor, Howard League supporter and donor.

The 2019 lecture will be held at 6pm on Monday 14 October at Clifford Chance LLP, 10 Upper Bank Street, London, E14 5JJ.



Why the police should stop arresting women

Frances Crook, Chief Executive of the Howard League for Penal Reform, discusses the charity's new drive to guide women away from crime

BY THE time you have finished reading this article, it is likely that a woman will have been arrested. Home Office figures indicate that police in England and Wales are arresting women at a rate of one every five minutes.

The police spend a lot of time arresting women, and it is costly. The government has estimated that the policing bill for dealing with women comes to about £1bn a year. In the last year for which figures are available, more than 100,000 arrests were made. All of these arrests will have been traumatic for the women concerned. Many of them will have been unnecessary.

This is what experts from the Howard League for Penal Reform said in Westminster when they gave evidence to the All Party Parliamentary Group (APPG) on Women in the Penal System. The APPG is holding an inquiry to investigate what can be done to reduce arrests of women in England and Wales.

The Howard League has begun a three-year programme to reduce arrests and stem the flow of women into the criminal justice system. The police are the gatekeepers to that system – they decide who goes in and who stays out – and we want

to encourage them to use their discretion, to use their powers of arrest much less.

The reasons for this are well established. Women who come into contact with the police often have complex needs. They may have children. They may have addictions. They may have money worries. They may have housing problems. They are likely to be victims of crime themselves. And a spell in a police cell, possibly followed by prosecution or even prison, does nothing to help them resolve those issues. Diverting women to more appropriate services, such as women's centres, instead of arresting them is more likely to address the causes of their troubling behaviour.

None of this is news to the government. In June 2018, the Ministry of Justice published a strategy recognising that women in contact with the criminal justice system often have needs that "criminal justice agencies cannot tackle alone".

Home Office figures show that police forces in England and Wales made almost 103,000 arrests of women between April 2017 and March 2018. Almost 17,000 arrests were recorded by the Metropolitan Police alone. Seven forces – Cambridgeshire,

Cumbria, Hampshire, Leicestershire, Suffolk, Surrey and West Midlands – made more arrests of women than they had in the previous year.

This is a big challenge, but we know that change is possible. This is because the Howard League has already contributed to a phenomenal reduction in arrests of children. In 2010 police forces in England and Wales made almost 250,000 child arrests; by 2017, that number had fallen to fewer than 80,000, a reduction of 68 per cent in seven years, thanks in part to our campaigning. This has been mirrored by a similar reduction in the number of children in prison.

The downward trend in child arrests means that tens of thousands of children can look forward to a brighter future without their lives being blighted by a criminal record. It will help to make our communities safer, too, as research has shown that the more contact children have with the criminal justice system, the more entrenched they are likely to become.

Let's build on this success with children and do the same for women.

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This article was first published on the Independent Voices website.



MPs and peers urge police to respond to incidents differently

POLICE are arresting vulnerable women for trivial offences in the misguided belief that it will help them to get the support they need from other services, an influential cross-party panel of MPs and peers has found.

The All Party Parliamentary Group on Women in the Penal System (APPG) has called for change after figures showed that women in England and Wales were being arrested at a rate of one every five minutes.

Women who have been victims of violence and abuse are over-

represented in the criminal justice system. The APPG, which receives administrative support from the Howard League, has urged police to use their discretion when attending incidents. Instead of arresting vulnerable women, officers should seek to respond in other ways, such as ensuring that they are able to go to a safe place.

The findings are revealed in *Arresting the entry of women into the criminal justice system*, the first report to be published as part of the APPG's inquiry into arrests of women.

Baroness Corston, Co-Chair of the APPG, said: "Women who are vulnerable need a safe space, not a police cell.

"It is unacceptable that tens of thousands of women who have suffered violence and abuse continue to be dragged into a criminal justice system that makes matters worse for them."

Home Office data show that there were almost 103,000 arrests of women in the 12 months to the end of March 2018. More than half of arrests are for non-violent offences, and in many cases women who are

arrested face no further action.

The APPG's inquiry has heard evidence from the Howard League. The charity had been in contact with a senior police officer, who said that he was training his officers to attend more carefully to women who were victims of domestic violence incidents. The officer told the charity that too many women were being arrested for assaulting police after they reacted badly in stressful and frightening situations. The women were victims, and yet ended up being arrested.

The APPG's report states: "Vulnerable women who require support from other services should not be arrested and it is misguided of the police to think that arrest is a route to help – it is not."

Making fewer arrests would lead to fewer women being prosecuted, sentenced and imprisoned. In 2018, an inquiry by the APPG into the sentencing of women found that women were being sent to prison unnecessarily – in spite of evidence that prison made matters worse for them.

How is crime linked to problem gambling?

THE first-ever Commission to investigate the links between crime and problem gambling has begun taking evidence.

Experts from across the globe are sharing their knowledge with the Commission on Crime and Problem Gambling, a three-year investigation launched by the Howard League.

The Commission will study patterns of crime linked to problem gambling, and the societal harms that connect the two, before seeking to make recommendations for government, the gambling industry and within the criminal justice system.

It is chaired by Lord Goldsmith QC, a former Attorney General. He leads a team of 16 commissioners, comprising academics and professionals with expertise in the criminal justice system and public health as well as experts with knowledge of the gambling industry and lived experience of addiction.

The commissioners will focus less on individuals and treatment and more on the broader impact that the links between problem gambling and crime have on communities and society.

They will consider how people affected by problem gambling can be diverted from the criminal justice system.

The Commission will look at the driving forces influencing change and practice, including legislation, politics and the media.

It will engage with industry and political leaders throughout its work, which will be promoted through national and international media and on the Howard League website.

The Commission held its first



Experts from across the globe are submitting evidence to the Commission on Crime and Problem Gambling

business meeting in June 2019 and issued a call for written evidence, inviting submissions from academics, practitioners and policy makers within the criminological, legal and health disciplines; the gambling industry; and people

who are expert by experience.

An academic literature review is being conducted to assist the Commission in its work. The review will consider themes, trends and knowledge gaps in the field.

Lord Goldsmith QC, Chair

of the Commission on Crime and Problem Gambling, said: "Concern about harmful gambling activity has been growing for some time, but this is the first Commission to focus specifically on the relationship between problem gambling

and crime.

"Our Commission will seek to establish what the links are; what impact they have on communities and wider society; and, crucially, what steps could be taken to reduce crime and make people safer."

Prue Leith to present 2019 Community Awards

CHEF, author and broadcaster Prue Leith is to present the awards at a Howard League event celebrating the work of projects that guide people away from crime.

She will hand out the 2019 Howard League Community Awards at the charity's Policing The Community conference.

The annual awards are given to projects that reduce crime and transform lives for the better.

Catryn Yousefi, Programmes Manager at the Howard League for Penal Reform, said: "The awards celebrate successful projects and pioneers who guide people away from crime and make us all safer."

The Policing The Community conference will give delegates the chance to discuss best practice in policing.

Speakers scheduled to appear at the event include representatives from the Magistrates' Association, Ofsted, StopWatch, Clinks and the Beacon Counselling Trust. The event will be held at the

King's Fund in London on Tuesday 12 November 2019.

For more information about the event, and to book a place, visit www.howardleague.org/our-events.

The Howard League annual general meeting will take place immediately after the conference.



Signs of success for Howard League campaign to end criminalisation of children in residential care homes

CAMPAIGNING by the Howard League to end the criminalisation of children in residential care is having a significant impact, official figures suggest.

The proportion of children formally criminalised while in residential care was reduced from 15 per cent to 10 per cent between 2014 and 2018.

This is a step in the right direction after the Howard League called on children's homes, police and the government to do more to prevent children being dragged into the criminal justice system.

The charity began campaigning on the issue in 2016 after government figures revealed that children living in children's homes were more likely to be criminalised than other children, including those in other types of care placement.

Frances Crook, Chief Executive of the Howard League for Penal Reform, said: "A child living in residential care has more often than not experienced a range of problems early in life, from acute family stress to abuse and neglect. They need nurture and support, not repeated contact with the police and criminalisation."

"But our research shows that some children's homes are picking up the phone again and again over matters that would never involve the police if they happened in a family home."

"There is some way to go before the police and children's



The charity analysed data from 26 police forces, who received 23,000 call-outs from homes in 2018

homes properly understand the scale of the problem, but official figures from the Department for Education suggest the efforts of the Howard League and others are now having an impact.

"We need to see everyone build on this, with more action to stop children in residential care having their lives blighted with a criminal record."

Research by the Howard

League has shown that children's homes in parts of England are calling the police as many as 200 times a year.

The charity analysed data provided by 26 police forces, who between them received almost 23,000 call-outs from children's homes in 2018.

The figures are published in *Know your numbers: Using data to monitor and address*

criminalisation, the fifth briefing from the Howard League's programme to end the criminalisation of children in residential care.

The briefing calls on police and the government to improve their recording practices and interrogate their data to better understand the scale of criminalisation of children in residential care.

The Department for Education only collects criminalisation data for children who have been looked after continuously for the last 12 months.

This means that there are a large number of children who have been looked after for shorter periods – 26,680 during the year 2017-18 – for whom levels of criminalisation are unknown.

Charities produce step-by-step guide to help lawyers advocate for looked-after children at the police station

LAWYERS can get advice on how to advocate effectively for looked-after children at the police station, thanks to a guide produced by the Howard League and another charity.

The Howard League and the Youth Justice Legal Centre at Just for Kids Law worked together on the document, which offers guidance on practical steps that lawyers

should take to ensure that looked-after children receive the support and assistance they need and are entitled to.

Looked-after children are less likely to receive support from family members or another trusted adult at the police station, and they should be entitled to additional protections set out in law, policy and guidance.

The guide, titled *Representing looked-after children at the police station*, provides information about the growing number of children coming into care and takes lawyers through the factors that can contribute to their criminalisation.

It then moves on to practical advice, including: how to review the decision to arrest or hold a child in custody; how

to communicate effectively with a child; how to advocate for a child's basic rights and entitlements; how to support a child at interview; how to consider whether a child is a victim of exploitation; how to make representations to the police and the Crown Prosecution Service; and how to make sure that a child's community care needs are met.

Laura Janes, Legal Director at the Howard League for Penal Reform, said: "The over-representation of looked-after children in the criminal justice system is a disgrace that has been known about for years."

"This guide brings together policy and practice to empower lawyers at the police station to take practical steps to counter this trend."

Research sheds light on overcrowding and violence behind bars

THE Howard League has urged the government to scrap plans to build new prisons and instead take decisive action to reduce the number of people behind bars.

The charity called on ministers to change direction after drawing the attention of national and local media to figures revealing the true scale of the prison overcrowding crisis in England and Wales.

Statistics published by the Ministry of Justice show that, on a typical day, more than 18,000 prisoners are crammed into cells holding too many people.

Most prisoners living in overcrowded conditions are required to share cells that were designed for one person. A smaller number may be forced to sleep three to a cell, in cells meant for two.

Overall, three in five men's prisons are holding more people than they are certified to look after.

Local prisons – which tend to hold prisoners on short sentences, awaiting sentence, on remand awaiting trial or awaiting transfer to another prison category – are under the most pressure from overcrowding.

The worst-affected prison is Wandsworth, in south London, where on a typical day more than 1,100 prisoners are held in cells that are overcrowded.

Other jails with particularly high numbers of prisoners in overcrowded cells include G4S-run Oakwood (916), Leeds (786), Durham (785), Sodexo-



Andy Atchison

More than 18,000 prisoners are crammed into cells holding too many people, government figures reveal

run Forest Bank (739), Serco-run Doncaster (695), G4S-run Altcourse (686), Serco-run Thameside (596), Preston (517), Hull (511), Birmingham (484), Pentonville (483), Elmley (447), Cardiff (444), Bullingdon (397) and Exeter (375).

The figures indicate that prisons with high levels of overcrowding are also likely to see high levels of violence.

Five men's prisons that have triggered Urgent Notifications by Her Majesty's

Chief Inspector of Prisons – Nottingham, Exeter, Birmingham, Bedford and Bristol – all appear on the list of overcrowded jails. Several prisons that have been placed in special measures – including Chelmsford, Elmley, Hewell, Liverpool, Winchester and Wormwood Scrubs – also feature.

The overcrowding statistics were published alongside figures showing that incidents of self-injury and assault in

prisons have risen to record levels. Prisons recorded 57,968 incidents of self-injury in the 12 months to the end of March 2019 – at a rate of one every nine minutes.

Frances Crook, Chief Executive of the Howard League for Penal Reform, said: “Keeping thousands of men cooped up like battery hens in overcrowded cells is never going to help them to lead crime-free lives on release.

“This is an intolerable

situation and, while the numbers have come down slightly in recent years, they remain frighteningly high. The figures reveal a clear relationship with overcrowding and violence in prisons.

“This is a challenge for the government. Bold action to reduce the number of people behind bars would not only ease pressure on the prisons; it would save lives, protect staff and prevent crime.”

Howard League drive to promote justice and fairness in prison

PRISONS should be exemplars of justice – so the Howard League has launched a new programme to find ways of reducing conflict, violence and injustice inside jails.

The charity has met the government to see how it can make prisons safer, and it is visiting jails to consult with

prisoners and managers.

It has given evidence to Parliament's Justice Committee, setting out better prison governance, and been asked to provide submissions to the United Nations Committee for the Prevention of Torture and the Council of Europe Torture Committee.

Frances Crook, Chief

Executive of the Howard League for Penal Reform, said: “Our legal work with children and young adults has revealed that punishments are used on prisoners when prisons are flailing around in desperation.

“A downward spiral of conflict, resentment and violence triggers draconian punishments. Our research shows that nearly 1,000

years of extra imprisonment was imposed last year for misdemeanours committed inside.

“As prisons are not allowed to inflict additional days on certain prisoners, lifers or remands for example, this system is seen to be unjust by both staff and prisoners.

“Having raised the alarm

about how excessive punishments are fuelling conflict, the charity is to set a new agenda for prisons.

“Our solution would be to curtail the use of extra days of imprisonment as a response to misbehaviour and for governors to use other sanctions and incentives at their disposal.”

Prisoners still struggling to receive books - five years after ban was lifted

PROBLEMS in prisons mean that prisoners are still struggling to receive books and visit libraries – five years after the Howard League ran a successful campaign to overturn unlawful restrictions imposed by the then Secretary of State for Justice, Chris Grayling.

Prisoners, their families and education charities have contacted the Howard League to report that books have been either returned to sender or held up by red tape. One prisoner said that even prayer books and bibles had been held in storage.

Meanwhile, access to libraries remains poor in many prisons. Restricted regimes, often enforced because of overcrowding and staff shortages, leave people spending hours on end in their cells without access to phone calls, work, exercise, education and library visits.

Frances Crook, Chief Executive of the Howard League for Penal Reform, said: “Books can be a lifeline for prisoners, who often have to spend months or even years locked almost all day in a small cell. The alternative is daytime TV.

“We should be moving heaven

and earth to get people in prison to read. Prisons must give this priority.”

The Howard League launched its Books For Prisoners campaign in 2014 after the government introduced a ban on sending books into prisons. The campaign drew international support – from leading figures from the arts world, former prisoners of conscience and activists from across the political spectrum, as well as thousands of the charity's members.

The restrictions were scrapped after the High Court ruled that they were unlawful. The Ministry of Justice changed its policy, indicating that prisoners could receive books from approved retailers and families and friends.

Five years on, however, problems persist. Prison inspectors have repeatedly encountered underused libraries and frustrated prisoners.

Bristol prison has a population of about 460, but only 13 men were taken from the wings to the library in May 2019. A recent inspection of Garth prison, in Lancashire, found that, over the previous 12 months, the library had been closed almost half



Andy Atchison

Access to libraries remains poor in many prisons, official inspections have found

the time. In Woodhill prison, in Buckinghamshire, inspectors discovered that the library had operated normally on only seven occasions during the previous three months, owing to regime cancellations.

Children are affected, too. Inspectors visiting Feltham – a west London prison in split into two sides, one holding children and the other holding young adults – found that the library was on the adult

side. Children could only get to the library for one hour in the evening, once a fortnight. However, this encroached on the time that the children were allowed to associate, so it was more like 30 minutes.



Dust + Scratches

Carol Ann Duffy, the then Poet Laureate, led a poetry reading outside Pentonville prison as part of the Howard League campaign in 2014

Howard League helps children behind bars with nowhere to live

THE Howard League legal team has been inundated with calls to help children and young people who are being kept in prison because they do not have a home and support in place.

The charity, which runs a free and confidential legal advice line, has received about 100 calls in the last year either from or on behalf of children and young people with nowhere suitable to go on release.

Cases dealt with by the Howard League legal team include the plight of a 17-year-old boy who was remanded to custody even though his youth offending team worker had recommended a community sentence.

The boy was a looked-after child but at the point of remand was living in a homeless shelter for adults. The charity argued that he was entitled to care and support, which was provided, allowing him to be given a community sentence.

The Howard League spoke about its casework after a joint inspection by Her Majesty's Inspectorates of Prisons and Probation found that too many children released from prison did not have suitable



Andy Aitchison

Inspectors found that too many children leaving prison did not have suitable accommodation lined up

accommodation lined up in time for them to receive the support they needed.

Frances Crook, Chief Executive of the Howard League for Penal Reform, said: "The inspectors' findings are in line with what the Howard League sees

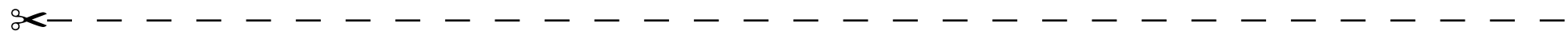
through its legal work time and again – children are being let down and set up to fail.

"Children in custody need more than 'accommodation'; they need a home.

"We have worked with children to find out what home

means to them, and they told us that it meant much more than just a roof over their head; it meant love, happiness, caring, safety, food and drink, warmth and comfort. Rushed resettlement makes children feel unloved and uncared for.

"Through its legal work, the Howard League has transformed law, policy and practice for children in the criminal justice system. But the inspectors' report underlines the fact that there is still so much more to do."



Support our work

By supporting our work, you add your voice to our movement and help ensure its success.

Our supporters are our strength, our advocates and our most important source of knowledge and financial support.

With your help, we can continue to achieve real and lasting change in the criminal justice system.

Return to: The Howard League
1 Ardleigh Road
London N1 4HS

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£5 ☐ £10 ☐ £25 ☐ Other £ (minimum £2.00)

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