



Howard League
for **Penal Reform**

Annual Report
2023-24



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Reference and administrative information

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| Company number | 898514 registered in the United Kingdom |
| Charity number | 251926 registered in England and Wales |
| Registered office and operational address | 46 Bedford Row London WC1R 4LR |
| Board members | <p>Board members, who are also directors under company law and the charity trustees as defined by section 177 of the Charities Act 2011, who served during the year and up to the date of this report were as follows:</p> <p>Nader Alaghband (from April 2024) Charles Bland Professor Ben Bradford Adrian Briggs (until March 2024) Dr Zubaida Haque Sally Lewis, Honorary Treasurer (until March 2024) Christina Line (from April 2024) Gerry Marshall (until October 2023) Thalia Maragh (from April 2024) Alexandra Marks CBE Professor Fergus McNeill, Chair Andrew Morris (from April 2024) John Tress, Honorary Treasurer (from March 2024) Tomas Thurogood-Hyde</p> |
| Honorary President | Lord Ken Macdonald KC |
| Key management personnel | <p>Andrea Coomber KC (Hon.), Chief Executive Euginia Lolomari, Director of Finance and Operations Andrew Neilson, Director of Campaigns. Anita Dockley, Director of Research (until November 2023) Gemma Abbott, Legal Director (from March 2023)</p> |

Staff

| | |
|--------------------|---|
| Lee Brown | Operations Co-ordinator |
| Dr Helen Churcher | Research and Project Officer |
| Poppy Cabbage | Legal and Projects Support Officer (until September 2024) |
| Amy Dolley | Policy and Public Affairs Officer |
| Steve Gallant | Development Support Officer |
| Dr Tim Kerr | Membership Officer |
| Noor Khan | Press and Public Affairs Officer |
| Katie Logue | Communications Coordinator |
| Sophie Lumsden | Development Manager |
| Sinead MacCann | Managing Solicitor |
| Adriana Matrigiani | Solicitor |
| Rob Preece | Communications Manager |
| Ana Rosenthal | Caseworker (until January 2024) |
| Claire Salama | Managing Solicitor |
| Anna Spencer | Solicitor |
| Ayomide Sotubo | Policy Officer |
| Ryan Walker | Development Support Officer |
| Maya Ward-Lowery | Legal and Projects Support Officer |

Finance, Audit and Risk committee members

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|---|
| Ben Elger |
| Sally Lewis (until March 2024) |
| Christina Line (from July 2024) |
| Lucy Robinson |
| Delbert Sandiford |
| Tomas Thurogood-Hyde (from July 2024) |
| John Tress (Honorary Treasurer from March 2024) |

Howard Journal of Crime and Justice

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|---|----------------------------------|
| Professor Ian Loader, University of Oxford | Editor-in-Chief |
| Professor Rachel Condry, University of Oxford | Editor |
| Dr David Green, John Jay College, New York, USA | Editor |
| Professor Elena Larrauri, Universitat Pompeu Fabra, Barcelona, Spain | Editor |
| Professor Simon Mackenzie, Victoria University of Wellington, New Zealand | Editor |
| Anita Dockley, Howard League for Penal Reform | Managing Editor (until Nov 2023) |
| Dr Mary Rogan, Trinity College Dublin, University of Dublin, Ireland | Book Review Editor |
| Brenda McWilliams | Publishing Editor |

KITCHEN
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Risk of trapping
hand/finger

LOCK GATES





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B3 - 12
B2 - 13
B1 - 12

B3 - 11
B2 - 12
B1 - 11

B4
B4
B1

Chair's welcome

This has been an extraordinary year for criminal justice in England and Wales. These pages cover a period that started with the fallout from an alleged escape from Wandsworth prison and ended with the onset of an emergency early release scheme to address an acute overcrowding crisis behind bars. In between, there was a general election and a change of government, resulting in the appointment of a new prisons minister – the eighth person to hold the post since the beginning of 2021.



Throughout the year, the prison system has been a constant presence in the news headlines, as more people have become aware of the deplorable conditions and daily injustices that exist within jails asked to do too much, with too little, for too long. Deepening problems, which were largely ignored for decades by all but the most dedicated observers, have moved to the top of the political agenda.

In response, the Howard League has stepped forward to make the case for building a more humane and effective response to crime that provides justice to all and helps to make our society more safe.

Drawing on our legal and policy work, and the many letters we receive from our members in prison, our briefing for the new government, *Grasping the nettle*, offered a range of policy options that could deliver a lasting solution to the capacity problem. Our paper, *Sentence inflation: a judicial critique*, signed by five of the most senior former judges in England and Wales, explored how the imposition of ever longer sentences has contributed to the crisis and made suggestions for change that a forthcoming independent review of sentencing might consider.

Our voice is being heard. The government has recognised that we cannot build our way out of the crisis, and two of our proposals from *Grasping the nettle* – the use of Home Detention Curfew as a meaningful alternative to prison and greater use of executive release – are being taken forward. A damp, dark and dilapidated segregation unit in Bedford prison, described as a “disgrace” by inspectors, was closed and replaced after our sustained pressure. Our campaign to end the scandal of Imprisonment for Public Protection (IPP) has made progress, with legislative changes meaning that some people serving the sentence will have their licences automatically terminated at last.

But there is much more to do. The IPP reforms, while welcome, do little to help almost 3,000 people who are still in prison serving the sentence. The number of people in prison on remand has reached a record high. Children are being held in cells for more than 22 hours per day, with reduced opportunities for education and interaction with others. Five more jails – Bedford, Wandsworth, Rochester, Manchester and Winchester – have been made the subject of urgent notifications after inspectors discovered terrible conditions.

This is my sixth, and final, annual review as Chair. I would like to thank everyone who has supported our cause during my time in the role. We've been through a time of change, and stand ready to continue playing our part in changing our broken justice system. I hope that you will consider what role you might play in the work that lies ahead. As we do not receive any funding from government, the generosity of our members helps us to remain an independent voice for change.

Professor Fergus McNeill

Chair



Objectives and activities

The Howard League for Penal Reform is the oldest penal reform charity in the world. We were established in 1866 as the Howard Association, named after John Howard, the first English prison reformer. In 1921, we merged with the Penal Reform League, forming the Howard League for Penal Reform.

In July 2023, our Board agreed a new strategy and theory of change that will take us to 2028.

Over the coming five-year period, we will focus on:

- Public-facing campaigning to challenge the reliance on prison as the answer to crime, both in general and for particular crimes/cohorts of people in prison.
- Working with politicians across parties to build their understanding of the evidence base and of the economic, human and social costs of prison. We will encourage political courage across parties to pursue policy that works.
- Blending strategic litigation with policy work and communications to highlight the problems with the overuse of prison and to challenge injustices and human rights violations in prison.
- Working with judges, parole board members, and the justice professions to bring a better understanding of the impact of sentencing, release and recall decisions and the realities of prison.
- Improving the quality of public information and dialogue around punishment, including by building a community of people who are interested in and engaged with prisons, people in prison, prison leavers and their families. We will mobilise this community to advocate for better policy.

Across all our work we will address racial disparity and include consideration of experiences of women, children and young people and other vulnerable people in the system.

Our thematic priorities include:

- Campaigning on the failure of prison as the answer to crime, generally as well as for particular offence-types and cohorts of people in prison.
- A resolution to the ongoing incarceration and recall of people serving the abolished IPP sentence.
- The injustices wrought by the treatment of secondary parties in joint enterprise murder cases, particularly on people from racialised minorities.
- The overuse of remand and experiences of people on remand.
- The challenges around sentencing, including incarceration for non-violent, lower-level offending, and combating sentence inflation across offence-types, but particularly for serious offences.

Our theory of change is based on the understanding that reducing the overuse of prison and improving the lives of people in prison will require a multifaceted approach. This includes public campaigning, policy advocacy and strategic litigation. Through these activities, we aim to influence public attitudes, enhance political understanding, build accountability, and ultimately reform the criminal justice system so it is fairer, more effective and less harmful.

Values

The Howard League's Cultural Compass underpins our approach to our work, to each other and to those we work with. Our key values are excellence, learning, accountability, integrity, collaboration, and courage. We regularly reflect on these behaviours and mindsets, ensuring that our values are alive in our daily work.

We are an anti-racist and an anti-discriminatory organisation. We invest in building an inclusive organisation with diverse members, staff and leadership. We ensure that our staff are equipped to challenge racism and discrimination in all its forms, wherever they see or experience it.

Achievements and Performance

The charity's main activities across 2023-2024 are described below, according to the key priorities in our strategy.

Key to our success across the year has been building ever more effective cross-team working within the Howard League, with our lawyers, communications and policy people working, with the support of research, towards common organisational goals.

Campaigning - Lifting the lid

At the centre of the Howard League's mission is putting the case for fewer people in prison. To this end, we are consistent in our messaging, to our members and supporters, to journalists and to the public, that sending more people to prison for longer carries significant human and financial costs, and that public money would better be spent investing in housing, education and health services that are proven to cut crime.

We are in the process for applying for dedicated funding for a large campaign on the harms of prison but pending this we have spent much of the past year consolidating key messages and building relationships to better communicate about the impact of prisons. With an increasing focus on prisons, driven through the prison capacity crisis and ever more critical reports of the Chief Inspector of Prisons, our ability to speak to the public about prisons has increased.

We have enjoyed significant reach with the media and press and have spent a substantial amount of time building the capacity of journalists and commentators interested in our issues. This has seen an expansion in both 'reactive' stories about prison, but also longer form journalism, including:

- In November 2023, we appeared on Channel 4 News, interviewed by Jackie Long alongside Mark Fairhurst of the Prison Officers' Association on the use of PAVA spray in the youth estate.
- In July 2024, we had extensive coverage following Keir Starmer's first press conference and the appointment of Lord Timpson. This included Chief Executive Andrea Coomber appearing on Times Radio, ITV News, and LBC, and Campaigns Director Andrew Neilson appearing on BBC Politics Live, Sky News, BBC Wales Breakfast, BBC Three Counties Radio, and BBC Radio Wales; as well as press coverage by PA Media, the Big Issue and the Observer.
- In September 2024, we published the sentencing paper which garnered write ups in the Times, the Financial Times, the Guardian, Russell Webster, the Independent, and the Law Society Gazette, as well as mentions in the Telegraph twice, PA Media twice, and the Guardian. We also had significant broadcast coverage, with Lord Thomas interviewed by Sky News, Times Radio, BBC Radio 4 and 5 News; Lord Phillips on Channel 4; and Andrea on BBC The Context, and LBC.

At the same time, we have explored issue-based campaigning. We launched a campaign in response to the Chief Inspector's report of Wetherby prison, where, on two consecutive evenings, a teenage girl was stripped naked by teams of male officers in an effort to remove clothing that she might use as a ligature. Ever since the closure of Rainsbrook secure training centre in late 2021, the Howard League has raised concern about the safety of the small numbers of girls in the youth estate, and particularly around the failure to have a plan for the future of girls in the estate. This campaign received a good amount of attention, running alongside a threat of litigation from our legal team – which was scuppered on the day of our anticipated filing by the announcement of the general election. Our petition secured 2,183 signatures, and received media attention, as well as engaging the interest and concern of ministers.

Later in the year we prepared some pre-emptive action about the anticipated roll out of PAVA spray in the youth estate. As part of that we created a dedicated page on the website explaining our concerns, and this has given rise to a series of 'public explainers' on our strategic priorities and other key issues. We have seen a large number of journalists, politicians and practitioners sharing our public explainer pages on prison overcrowding, sentence inflation, and PAVA. We are in the process of finalising several other explainers to be published in the coming months.

Addressing the IPP crisis

The ongoing injustice of those people sentenced under the now abolished IPP (and DPP) sentence is a priority for the Howard League. There are two key aspects. First, the fact that more than 1,100 IPPs in custody are over tariff – 700 more than 10 years over tariff – and remain unreleased by the Parole Board. The Parole Board processes are slow and people serving the IPP sentence, and indeed those professionals who support their release, often feel that the high threshold for release established in law is impossible for many IPPs to meet in the absence of opportunities in custody and given their psychological profile (which the nature of the IPP sentence arguably contributes to). The second is that many of those who are released are being recalled to prison, often multiple times, for administrative breaches of licence. This group then need to be re-released by the Parole Board, often waiting years for the opportunity to put their case. At the time of writing, recalled IPPs represent the majority of the IPP cohort in prison. Until recently IPPs have had to wait 10 years in the community before applying to have their licence terminated, thereby ending the possibility of, and for some the cycle of, recall to prison and release.

Dealing with the IPP crisis is a new priority for the Howard League, though we have always expressed our concern about its operation. Back in 2021 we worked with members of the House of Lords to draft amendments to the Police, Crime, Sentencing, and Courts Bill, proposing that the period to be served on licence before termination be cut to five years. Since 2022, we have developed a close relationship with UNGRIPP, the leading group of family members of IPPs lobbying for change, and we have received countless letters from our members in prison highlighting the injustices of sentence. Often these letters are from those serving an IPP sentence, very often they are from others, highlighting the damage that they witness from others in prison.

In the last year, addressing IPP sentences has taken centre stage in our work. Our Chief Executive, Andrea Coomber, and Managing Solicitor, Claire Salama, sit on the HM Prison and Probation Service (HMPPS) IPP Expert Challenge Group, which meets regularly with those who are responsible for the care of IPP prisoners, the Parole Board, psychological experts and civil society, to consider progress for those serving the IPP sentence. We have consistently put the case for better data collection and data sharing about IPP prisoners and strengthened communication with those serving the sentence directly.

With others, we successfully lobbied the Secretary of State for Justice in the last Conservative government on the need to reduce the licence period. We welcomed the changes to IPP licences that came into effect with the Victims and Prisoners Act which included: a reduction of time at which IPPs could have their licence reviewed by the Parole Board from 10 years down to three years; the addition of automatic termination after a further two years on licence for those who do not have their licence terminated by the Parole Board; a change to the Parole Board test for presumption of termination and a power of the Secretary of State to grant executive release to IPPs, as well as a power to disapply a recall for the time to count towards automatic termination.

To support those eligible for termination and in recognition of the small numbers who are legally represented with their termination reviews, we prepared a practical 'how-to' guide for licence termination in collaboration with the Prison Reform Trust, the Prisoners' Advice Service and Dr Laura Janes.

The guide was launched in the summer of 2024, explaining both the rules as they applied at the time and the forthcoming changes. The guide was later updated in September 2024 to reflect the announcement of relevant commencement dates. It has received wide acclaim and has been shared widely, including by HMPPS and the Parole Board and has been uploaded onto the Content Hub on prisoners' in-cell laptops.

Given the complexity of the legislative changes brought in by the Victims and Prisoners Act, our lawyers have also trained 22 volunteers at law firm Peters and Peters LLP to host an advice line to support individuals with queries about the changes. The advice line commenced in October 2024 and is planned to run until December 2024. Feedback has been overwhelmingly positive, with one stakeholder referring to it as a 'lifeline' for IPPs.

While changes to the IPP licence are significant, they do little to change the lot of those IPPs who remain in prison, never having been released by the Parole Board. This group is now our focus, in terms of research and influencing, but also litigation. With UNGRIPP and with various lawyers, we will continue to explore the possibility of a systemic legal challenge on the dire psychological impacts of the IPP sentence, as well as routes to appeal individual IPP sentences where extended sentences were not properly considered as alternatives during sentencing.

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• Listen to the voice instructions
• Enter Tel. No. followed by #
• Enter PIN No.

To Make a Telephone Account Query
• Listen to the voice instructions
• Enter 118 followed by #
• Enter PIN No.

Conversations on this Pinphone will be recorded and are liable to be monitored by prison staff. The Pinphone is provided for use only by those prisoners who consent to this.

Calls between prisoners and their legal advisors will be treated as legally privileged and will not be listened to or recorded.

Calls to the Samaritans or other reputable organisations providing personal and confidential help and guidance will not be listened to or recorded.

Lift Handset to
Make a Call

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Joint enterprise secondary parties

'Joint enterprise' is a long-standing and complicated legal doctrine, whereby a number of individuals can be convicted, and sentenced, as if they were the primary perpetrator of a crime. We are particularly concerned about the operation of this doctrine in the context of secondary parties to joint enterprise murder, who are often sentenced to incredibly long sentences, despite having low levels of contribution to the index offence. While there are very significant gaps in data, recent data from the Crown Prosecution Service shows that young Black men are disproportionately caught up in joint enterprise prosecutions. Any visit to the lifer estate bears out this racial disparity. Secondary parties often struggle to understand how they have been convicted 'when I didn't kill anyone', and this sometimes affects their progression through the prison system, up to release by the Parole Board. Despite the landmark Jogee judgment of the Supreme Court in 2016, which found that a certain type of joint enterprise convictions represented 'a wrong turn', the 'substantial injustice' test adopted by the Court of Appeal as a threshold for successful appeal has meant that only one person has been released following the Jogee judgment. Prison leaders and prison staff and probation officers often tell us that they only learn if someone is a secondary party years into their sentence, and that better information on this profile of prisoner would be helpful in providing advice and support to them.

We are particularly concerned about the highly disproportionate number of men from racialised minorities who appear to be convicted as secondary parties in murder cases, and about the dearth of data about this group.

Over the past year, we have worked with leading joint enterprise campaigning group JENGBA and law firm Travers Smith LLP, and an external IT provider, to digitise JENGBA surveys of people in prison convicted under the doctrine of joint enterprise. These surveys represent the only available data on this group of people, with no distinction between primary and secondary parties being formally captured at the time of conviction or sentence. Once fully digitised, this will present a useful picture about the scope of the problem, as well as providing insights into individuals' cases. At the same time, we think that telling the stories of joint enterprise secondary parties is critical. To this end, we have built relationships with groups of joint enterprise prisoners at two prisons outside London, where we are in the process of working with the men to capture their stories, which speak to the injustice of secondary liability.

We have also worked with the pro bono team at DLA Piper to produce a report on how different legal systems across the world apply the criminal law relating to participation in criminal offences. This project compared the application of English law on complicity, in particular the impact of this on the sentencing of secondary parties, with the criminal law in other jurisdictions. The report will provide a helpful reference for our work on joint enterprise and the sentencing of secondary parties.

Remand

The remand population has been at a 50-year high this year, with people on remand accounting for more than a fifth of the total male prison population and a quarter of all women in prison. The population reflects an increase in both the number of people being remanded to custody and the length of time people are spending awaiting trial and sentence as a result of the growing backlog in the criminal courts. Many of those who are remanded do not go on to receive a custodial sentence. Prisons are in crisis and remanded prisoners experience particularly impoverished regimes, with no opportunity to progress while they await trial and/or sentence.

Tackling the overuse of remand goes to the heart of the Howard League's purpose and vision – we want to see a significant reduction in the use of prison and much better conditions and opportunities for those who remain there. To this end, we are bringing together various strands of ongoing work.

We continue to be concerned about the remand of young adults. As reported in last year's annual report, in October 2023 we published a legal guide for remanded young adults as part of a project funded by Barrow Cadbury. At the start of January 2024 copies of the guide were printed and distributed to 18 prisons holding young adults on remand. With the generous support of the Belpech Charitable Trust, we were able to print and distribute twice as many guides as originally planned.

At the start of 2024 we began a knowledge exchange project in collaboration with City University exploring women's experiences of remand. Activities included a meeting with senior staff at Bronzefield to better understand the impact of remand, and a meeting with women who have had lived experience of being on remand. At the time of writing, we are working with a small group of charities and funders with a view to building a wider research project and campaign on ending the remand of women.

Finally, as part of our work on racial disparities, we are exploring the available data on local authorities and remand in England and Wales. We hope to gain a better understanding of the ethnicity of children on remand in each local authority and how different youth justice services use custodial remand.



Sentencing

If there is one single driver for an overcrowded, ineffective prison population it is 25 years of poor law and practice around sentencing.

Our concern about sentencing lies fundamentally in the failure of governments to level with the public about what prison can and can't achieve, and about the fact that, despite falling crime across the western world, sentences in England and Wales have more than doubled across the board in recent decades. We believe that sentencing policy and practice should be grounded in evidence of what works to hold people safely, cut reoffending and keep the public safe.

The most significant piece of work we have undertaken under this priority has been a high-profile paper published in September 2024 entitled *Sentence inflation: a judicial critique*. The paper was prepared by the Howard League on behalf of the four surviving former Lords Chief Justice of England and Wales – Lord Woolf, Lord Phillips, Lord Thomas and Lord Burnett – and the only President of the Queen's Bench Division to head criminal justice, Sir Brian Leveson. In only 11 pages, it explains that, contrary to the public's understanding, sentences – and accordingly the prison population – have more than doubled since Lord Woolf's Strangeways report in 1991. The paper explains that this increase has been largely driven by legislative interventions which have set minimum tariffs for different kinds of murder convictions which have in turn driven up all other sentences in proportion. It further notes the particular impact of Schedule 21 of the Criminal Justice Act 2003, which applied only to England and Wales, where sentences are now out of all proportion with Scotland and Northern Ireland. The paper details the significant human and financial costs of sentence inflation, including on different groups of people affected such as older prisoners, women, people from racialised minorities, IPPs and those on a two-strike discretionary life sentence. The retired judges call for the upcoming sentencing review to reverse years of sentence inflation, and to examine ways of accelerating the release of those people who are currently serving very long sentences.

The *Sentence inflation* paper has had an extraordinary impact. It represented an unprecedented intervention by the five most senior retired judges in this jurisdiction, attracting significant press and media interest, which continues to the time of writing. The impact of the paper is perhaps best illustrated by the fact that in the weeks and months following its publication, mainstream news outlets like the BBC were running stories about 'sentence inflation', a term that had hitherto only been understood by lawyers and judges.

A follow-up event, featuring one of the retired judges Sir Brian Leveson, Cambridge academic Professor Nicola Padfield and Dwaine Patterson, a consultant who served a very long indeterminate sentence, was attended by more than 100 people, and was written up by the BBC.

The paper will form a plank of our submission to the sentencing review in the coming months. It is referenced in our new 'Public Explainer' on sentencing, which provides an invaluable resource for members of the public or the press wanting to better understand why sentencing matters.

Beyond long sentences, we have also been exploring how sentencing decisions take account of neurodiversity, an issue raised by a number of our members. We are grateful to Akin Gump for its preparation of a research paper on the sentencing of people with neurodivergent conditions, which we shared with the Jonathan Hall KC, the Independent Reviewer of Terrorism Legislation.

Public affairs

The Howard League's public affairs work this year was defined by the calling of an early election by the Prime Minister Rishi Sunak for July 2024. In the preceding months, the crisis in prisons was becoming ever more severe, particularly as regards available capacity, but the previous administration appeared to be reluctant to take the radical action required. One avenue for progress was provided by the changes to the IPP licence (see section above) introduced in the Victims and Prisoners Act. Overall, however, the possibility for meaningful reform appeared to be mired in the difficult political situation the administration found itself facing in the run up to a general election.

The election in July brought in a new government with a large parliamentary majority and faced with the alarming prospect of running out of prison cells over the summer. This changed the political dynamic and created a window of opportunity. Within a week of the new government, we published *Grasping the nettle: Options for a lasting solution to the prisons capacity crisis*. Shortly afterwards, the new Lord Chancellor and Justice Secretary, Shabana Mahmood, announced the introduction of SDS40 – an early release measure that our briefing had called for. Since then other ideas floated in our briefing, including a sentencing review and the expansion of HDC and executive release, have been announced by the Ministry of Justice.

The Howard League published many submissions and parliamentary briefings during the period in review. Submissions were made to the Justice Committee inquiry into the future prison population and estate capacity, to the UN Special Rapporteur on Torture's call for input on issues in prison management, to the London Assembly Health Committee on health impacts of gambling, to the Sentencing Council's consultation on miscellaneous amendments to sentencing guidelines and to the Ministry of Justice's consultation on a Youth Justice Charter. Parliamentary briefings were published on the Victims and Prisoners Bill and the Sentencing Bill, on prisons in Wales, on PAVA in the youth estate, on suicides in prisons, on joint enterprise and on the IPP sentence. Our Chief Executive regularly met with Ministers and Shadow Ministers to discuss the prisons crisis and to lay the groundwork for radical change upon a change of government.

Outreach

Our presence on social media continues to grow. At the end of September, our social media accounts were followed by almost 49,000 users: 34,609 on X (formerly Twitter); 5,740 on Facebook, 5,141 on LinkedIn; 1,341 on Instagram; 425 on YouTube; and 300 on Threads.

In the reporting period, our social media posts across all platforms reached nearly three million users - 2,968,882. Standout months were March (418,000 impressions) and July (475,000 impressions). In March, we launched our petition urging ministers to move girls out of Wetherby and began laying the ground for action against a rollout of PAVA in the children's estate. In July, we published *Grasping the nettle*, welcomed the new government and the appointment of Lord Timpson, and responded to the early release scheme.

The website attracted more than 79,000 users and there were more than 202,000 page views. Popular webpages included the Wetherby petition (3,402 page views), our blogpost on the changes for IPP sentences in the Victims and Prisoners Act (1,623 views) and our explainer article on prison overcrowding (1,196 views).

At the beginning of the reporting period, we held well-attended fringe events at each of the three main parties' annual party conferences. We held a further 11 public events during the year, with more than 2,500 people signing up to attend in total:

- 12 October - Focus on fairness - prosecuting crime in a changing world with Max Hill KC (in person)
- 26 October - Spotlights: Vincent Schiraldi on probation, parole and the rise of mass supervision in the US (online)
- 9 November - Spotlights: A King's speech special (online)
- 28 November - Parmoor Lecture with Andrea Albutt, (online and in person)
- 5 December - Annual Members' meeting (online)
- 31 January - The problem with remand (online and in person)
- 7 March - Spotlights: International Women's Day (online)
- 25 April - Spotlights: The IPP sentence (online)
- 11 June - Spotlights: What are prisons for? (online)
- 11 July - Spotlights: What should the next government do to solve the problems in prisons? (online)
- 27 September - Spotlights: Sentence inflation (online)

Litigating for change

Over the past year, our legal team has been developing a programme of strategic litigation opportunities that sits alongside the day-to-day legal work that arises through our advice line for children and young people in prison.

As part of the delivery of this strategy, we have been scoping and developing litigation in a number of areas. In addition to ongoing work relating to the threatened introduction of PAVA spray into children's prisons and in respect of the placement of girls in the secure children's estate, as noted above, this includes a focus on overcrowding and poor physical conditions in prisons, and the inappropriate use of segregation in both children's and adult prisons.

PAVA spray

For more than 18 months, consideration has been given by the Ministry of Justice to allowing PAVA, an incapacitant spray which is a prohibited weapon under the Firearms Act 196, to be used by officers in young offender institutions holding children. The Prison Officers' Association has made this a key ask of government. It was originally expected that a decision would be made by the end of the summer 2023 but this was delayed, we understand in part because of correspondence we sent to the then Prisons Minister, Damian Hinds, threatening legal action if PAVA was authorised for use against children. We understand that likely litigation delayed a decision under the previous government. This matter is now with the new government, who understand that we are ready to challenge the use of PAVA in the children's estate if such a decision is taken.

We are also continuing to explore the possibility of challenging the use of PAVA in the adult male estate, given concerns raised in HMIP reports and by young adults calling our advice line about its misuse. An evaluation of the use of force, including the use of PAVA, in the adult estate has been carried out but the findings have not yet been published (despite this being promised for many months). Our current focus is on getting data to give us a fuller picture of where and against whom PAVA is used, to substantiate our understanding that PAVA is used disproportionately against young, Black, Muslim men and those with disabilities. We are also in discussion with others in the sector who are also doing work in this area to see what can be shared and how best to collaborate – including Maslaha, who have been conducting their own research into the impact of PAVA spray on Muslim prisoners.

Girls

We remain very concerned about the continued placement of girls at Wetherby prison, particularly in light of the recently published report by HMIP following an inspection at Wetherby prison. As noted above, the report described two incidents where a girl was using her clothes to make ligatures and had her clothing forcibly removed by male officers. HMIP reported extremely high levels of self-harm among girls, resulting in very high levels of use of force, and concluded that the prison was not able to meet their needs.

The decision in 2021 to place girls at Wetherby - following the closure of Rainsbrook secure training centre - departed from well-established policy and practice by placing girls

in a prison in general, and specifically by placing them in a male prison. It was the publicly stated intention that girls would be placed at Wetherby on an interim basis of up to two years until the secure school opened. However, the secure school is now open and Wetherby remains a placement option for girls. We continue to explore litigation in this regard.

Prison conditions

As part of our work on overcrowding and conditions, we have been in legal correspondence with the government in relation to the segregation unit at Bedford prison, the closure of which had been long promised but much delayed. The unit was squalid and filthy, but it was only following the threat of legal action that it was eventually closed in September 2024. Our legal work in relation to indecent, inhumane conditions elsewhere in the estate continues and we hope to be able to share more information publicly in the coming months.

Segregation

In respect of segregation, in December 2023, the longstanding case of AB was concluded at the European Court of Human Rights (ECHR) by way of friendly settlement, seven years after it was issued in the High Court (and a breach of Article 8 was conceded). The case concerned a challenge to the ongoing solitary confinement of a child at Feltham prison for over 55 days, with no more than an hour out of his cell a day. The Government finally acknowledged that, in the particular circumstances of this case, there had been a breach of Article 3 of the ECHR, which states: “No one shall be subjected to torture or to inhuman or degrading treatment or punishment.” The government agreed to pay AB £31,500, understood to be one of the largest sums ever paid by the UK in a friendly settlement before the European Court of Human Rights, and a contribution towards our legal costs.

Unfortunately, we know that the practice of separating children from their peers and confining them for significant periods of time to their cells continues today. We are continuing to monitor the situation in children’s prisons with a view to further litigation if appropriate. We are also scrutinising the use of segregation across the adult estate, including looking at the inappropriate use of segregation for those with mental ill-health.

Other legal project work

As well as developing strategic litigation opportunities, our legal team has been working on projects aimed at improving the quality of justice experienced by people in custody, including in relation to our organisational priority themes.

Use of video technology for legal education

As reported last year, and with the support of funding from the Big Lottery Fund, we produced an animated video, with design studio Ave, explaining what it means to be released on licence and the process of recall to prison if you breach those conditions. Recall is a common issue that young people calling our legal advice line continue to seek advice about and one that they find confusing.

The video was uploaded to the prison service's intranet, which every prisoner in one of the 19 prisons with in-cell technology can access. As of 1 October 2024, the video had been viewed in full almost 3,000 times by those in custody.

Life sentences for children

As part of a project funded by the Legal Education Foundation, through the Justice First Fellowship, we have produced a legal guide for young people who commit murder as children and are serving sentences of detention at His Majesty's Pleasure (an 'HMP sentence'). The guide explains how HMP sentences work, with a focus on the key dates in the sentence. Children in prison now have access to the guide through their laptops and the guide has also been shared with criminal justice and social care professionals. The guide was informed by workshops we held with children and young people serving this kind of sentence in two young offenders institutions in November 2023, which included one of our colleagues who has experience of the HMP sentence. Professionals at the prisons told us that young people spoke very highly of the sessions, with one noting that "I feel that YP [young people] with life sentences can be forgotten about in the custodial setting and your visit has made a difference".

Access to Justice for children

In March 2024, we were granted three years of funding by BBC Children in Need to continue to provide our free legal advice service for children in custody, and to better understand the needs of children who are within the remit of our service but who do not call us, in order to increase our ability to support them. This funding followed on from a previous grant from BBC Children in Need, which was used to advise children in custody about their legal rights and entitlements through our access to justice service. As part of this work, in July 2024, we delivered workshops on children's rights for Barnardo's advocates from across the children's custodial estate. An update on the work of our advice line service over the past year is provided below.

Legal advice and representation

The Howard League runs the country's only dedicated advice line for children and young people in custody. Our free and confidential service is available on the "pin" of every person in prison aged 21 and under, and we receive hundreds of requests for legal assistance every year.

In the period ending 30 September 2024, the legal team provided advice and assistance to 255 young people aged 21 and under on 359 matters, including their treatment in custody, adjudications, transfers, and release planning. We also pursued 14 cases, funded by legal aid, to help children and young people with treatment issues in custody, adjudications, and recall and parole. We have also supported people in custody across the estate by making hundreds of safeguarding referrals where needed.

We have been contacted by many young people about their regime, with many seeking advice about being segregated or held in conditions akin to isolation. We have supported these young people in relation to their particular experiences and circumstances, and are also in correspondence with the Youth Custody Service in relation to their broader separation policy and practices. This work has included securing a change in policy at one YOI so that children will continue to have access to their laptops and phones when they are held in the segregation unit.

We issued a judicial review in March 2024 on behalf of a child who was being repeatedly restrained and injured at a child's prison. Our case challenged the lack of scrutiny and investigation into these restraints, and the failure of the prison to make appropriate adjustments to our client's treatment in light of his disabilities. Prior to the case being heard, we were able to reach resolution with the government, with a promise of a series of meaningful accommodations for our client. We remain focused on the frequent and disproportionate use of force against children and young people across the estate.

We have supported numerous callers with issues relating to adjudications, often relating to the relevant prison's failure to enable the young person to effectively participate in the adjudication process on account of additional needs and/or disabilities. In many cases the findings of guilt have been quashed as a consequence of our interventions. We have also issued judicial review proceedings in relation to the operation of a blanket practice of holding independent adjudications virtually, instead of having the option of holding them face-to-face, and await the court's decision as to next steps. The government's lawyers have already conceded that the 28 additional days awarded to the client are to be rescinded.

We have continued to advise and support children and young people with complaints, including to prisons and to the Independent Prisoner Complaint Investigations (IPCI), which is part of the Prisons and Probation Ombudsman. One complaint to the IPCI on behalf of a client who had force used against them, including during a strip search, resulted in several recommendations being made to the Governor to improve governance and assurance processes when force is used and strip searches are conducted at the relevant prison.

Over the period, we have received enthusiastic and positive feedback from clients and from young people who used our access to justice service. Every young person who

provided feedback said that they would recommend the Howard League to others. One young person commented, “amazing people, went above and beyond to help me I would say they care about helping people first and foremost”. Another told us, “I couldn’t thank Howard League enough for the help they have given me through my whole sentence, I don’t know what position I would be in if they didn’t help me”.

As well as providing this valuable support to children and young people who contact us, our legal advice service also provides us with first-hand information about, and a greater understanding of, the issues affecting the custodial estate, both for children and adults. This informs and enriches our broader organisational work, including in relation to priority areas and strategic litigation.



Strengthening the charity

Membership

Membership distinguishes the Howard League from other charities in the sector and has two primary functions. As a fundraising stream, it offers dependable unrestricted income to support our work. It also builds a network of supporters, often engaging substantively with our work and enhancing the strength and authority of our voice.

We have made a concerted effort to increase numbers of members in prison, now having more than 500 such members, more than doubling this cohort in the past year. We have engaged with prison members through word of mouth, prison newspaper columns, mailings, and prison visits. In the past year, we have also built a relationship with National Prison Radio – funded by the Belpech Charitable Trust – which has considerably expanded the audience for our work.

Members in prison receive regular communications on our work, including any information on policy or legislative changes that may affect them. We also keep our members informed about our campaigns and public perceptions of prisons. We encourage members to be advocates for change and ask others in the prison to join. A key focus for us is to hear about what is happening inside prisons, so we can gain insight and knowledge on current issues facing people in prison. Through our work, we want to change perceptions and build public understanding of the realities of prison.

It is also important to us to work with the families of people in prison, to ensure that their voices and experiences are part of our work, we currently have 1,600 members who have a family member in prison.

Our members outside of prison are key to our aims of persuading the public of the need for penal reform. The communications team has improved the digital offerings to both members and supporters, with monthly email updates, a greatly expanded social media presence, and an expanded series of events to engage our members and supporters.

With these measures now in place, we will be assessing and improving the membership package in the coming months, both to ensure the membership's fundraising potential, and to have passionate advocates to fulfil our goal of a societal shift in thinking on punishment.

Fundraising

This year, we have continued to strengthen our development function by building relationships with trusts and foundations, generating a pipeline of funders and supporting our new development board.

Trusts and foundations play a critical role in supporting the work of the Howard League. Over the year, we have received a number of grants, including multi-year grants, from trusts and foundations, both as restricted and unrestricted income.

We received new unrestricted grants or donations from Sigrid Rausing Trust; Firebird Foundation; AB Charitable Trust; Treebeard Trust; Bromley Trust; Millward Family Trust; and Tolkien Trust.

We continued to receive a number of restricted multi-year grants for existing projects. These were: Children in Need – Legal advice line; Esmée Fairbairn Foundation – racial disparity in youth justice and Legal Education Foundation – Justice First Fellowship. We also received unrestricted support from: The Constance Faulds Crawford Trust; Barrow Cadbury; Children in Need; Gilbert & Eileen Edgar Foundation; The Hanley Trust; Esmée Fairbairn Foundation; Jolanta and Max Neufeld Charitable Trust; Oakdale Trust; WF Trust; William A Cadbury Charitable Trust; and William P Bancroft Charitable Trust.



FIRE
EXIT

Plans for the future, from Chief Executive Andrea Coomber



This Trustees Annual Report covers another year of transition for the Howard League. In July 2023, the Board adopted a new strategy and accompanying theory of change, and the past year has seen the new strategy bed in across the organisation. It has presented challenges to the way we have worked, as exciting as these have been.

The context for our work has changed with a recent change of government. The previous government had tried to downplay the extent of the crisis in prisons; there are no votes in prisons in an election year. From day one, the new government has had to recognise that years of retrenchment of public spending and political neglect of the criminal justice system has meant that the penal system as it currently stands needs a rethink. They have been forced to release people early from prison, at 40% rather than 50% the way through their sentence, and the Secretary of State for Justice has publicly stated that the crisis is not one which they can build their way out of.

The coming year will see us build on the work on cross-organisational priorities that have been established in the past year. For example, the recent announcement of the Sentencing Review will provide us with a once-in-a-generation opportunity to bring down the drivers of an ever-higher prison population, and will undoubtedly absorb a lot of our work and focus in the coming year. We will soon have the full set of digitised data from the JENGBA surveys, which will provide a foundation for our work on secondary parties to joint enterprise, and we are in the process of setting up a retired senior judge-led expert group to determine a lasting solution to the IPP crisis.

Arguably the most significant change in my leadership of the Howard League has been the change in focus of our legal work, from an exclusive focus on providing legal advice and representation to children and young people in prison, to building a portfolio of litigation which challenges poor policy, procedures and practice across the estate. While to date the threat of our litigation seems to have been enough to change practice and reverse approaches, I expect that the coming year will see us launch actions against government around various aspects of prison management and prison conditions. This litigation will be ably supported by our campaigns and communications functions.

And behind the scenes, the biggest challenge of the coming year relates to securing the financial future of the charity. There is, I think, a feeling among our supporters and others in the sector, that the ubiquity of the Howard League means that it doesn't have to worry about funding. Nothing could be further from the truth. The new strategy is grounded very much in us setting our strategic priorities – all of which are focused on penal reform – and fundraising for that work. This is a new approach for the charity, and we need to build relationships with most institutional funders from scratch. The coming year will also see us launch an ambitious major donor and corporate appeal in advance of our 160th anniversary in 2026. Increasingly we have a good story to tell – high profile interventions,

real influence on priorities in the prison service, and influence with government – it is time to have all of this work properly funded.

As ever, I am hugely grateful to the extraordinary staff at the Howard League and to the board, particularly its soon-to-depart Chair, Fergus McNeill, who has been an amazing support in a difficult transition. I am also thankful for our amazing members and supporters. Our membership base is growing – in prison, but also beyond it. Our members really do provide authority for our voice, and we are committed to building our membership into a volunteer army for change.



Structure, governance and management

Staffing

The key changes in staff in the past year have involved our Research Director, Anita Dockley, leaving us after many years of service in November 2023. Our legal caseworker, Ana Rosenthal, also left us in January 2024. One of our legal administrators, Poppy Cabbage, left us in September 2024.

The nature of the Howard League's work can be challenging and upsetting. To support staff, and to nurture a healthy organisation, we have engaged an experienced group clinical practitioner, Patrick Mandikate, to work with staff on a fortnightly basis. He is wonderful and makes staff feel safer and supported.

We are hugely grateful to Nina Williams and her colleagues at Charles Russell Speechlys LLP for their advice and guidance to our human resources function.

Governance

We are a registered charity and a company limited by guarantee, incorporated in England and Wales. As our constitutional documents were adopted in 1967, the Board has reviewed the charitable objects, and secured permission from the Charity Commission to update them. The new objects – which much better reflect our values and aspirations, while being faithful to our history – were adopted as part of updated Articles of Association at the 2023 AGM in December.

As part of the governance review, all policies and procedures are being checked and updated. We are grateful to Erica Handling and to Dechert LLP for their support with this process.



Howard League for Penal Reform

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