

Written evidence from the Centre for Crime and Justice Studies (PEC0006)

1. Introduction

- 1.1. The Centre for Crime and Justice Studies is an independent educational charity that advances public understanding of crime and criminal justice. We create lively spaces for collaboration and learning, where conventional criminal justice policy agendas are scrutinised and challenged, fresh knowledge and ideas are discussed, and transformational solutions are developed.
- 1.2. This submission highlights systemic challenges in the sustainable delivery of appropriate prison estate capacity and offers recommendations.

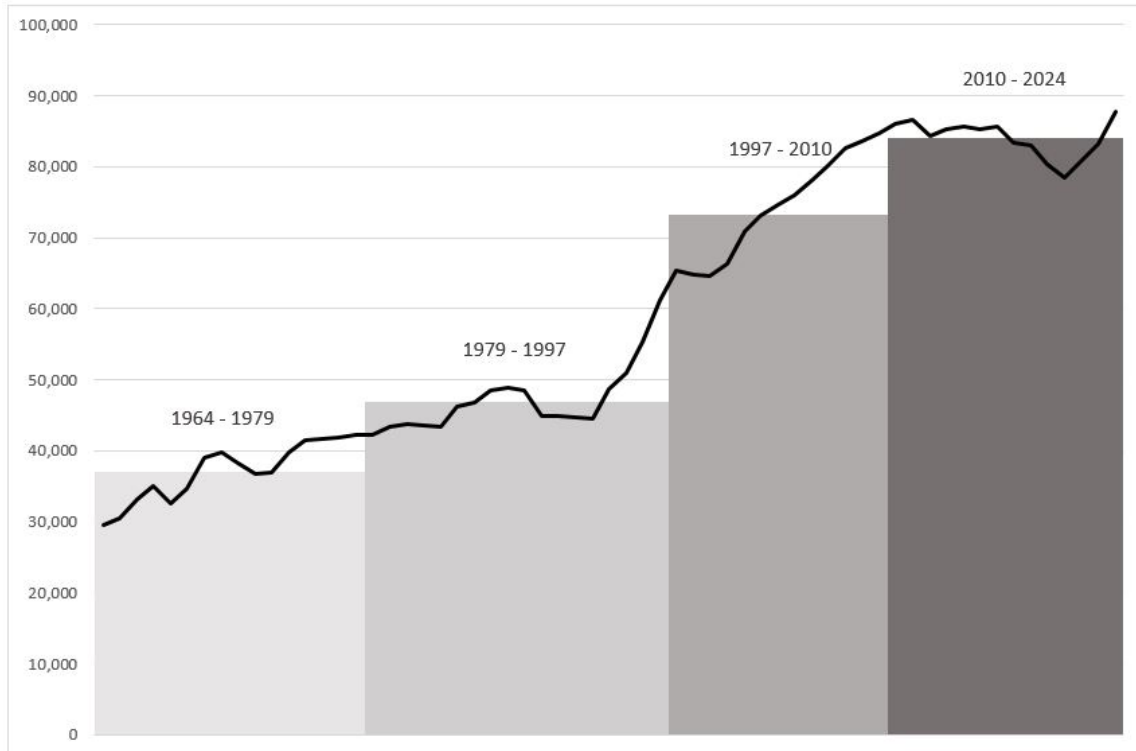
2. Background

- 2.1. The 2020 Public Accounts Committee report, *Improving the prison estate* (Public Accounts Committee, 2020), observed that the Prison Service “has been operating hand to mouth, by reacting to immediate crises rather than developing a long-term strategy for the prison estate”. It noted that the Prison Estate Transformation Programme had delivered only 206 of a planned 10,000 prison places and that there was a £900 million prison maintenance backlog. The Committee was “not convinced that the Ministry’s plans to create more capacity will allow it to match the expected increase in the prison population whilst keeping prisoners safe under its care”.
- 2.2. The December 2024 National Audit Office (NAO) report, *Increasing the capacity of the prison estate to meet demand* (National Audit Office, 2024), highlighted a similar issue: the Prison Service had “only added a net 1,005 prison places” over fourteen years, while the prison population grew by around 3,000 during the same period. It further reported that the prison expansion programmes were some five years behind schedule and were expected to cost at least £4.2 billion (or 80 per cent) more than originally planned. In order to meet short-term demand pressures, the Prison Service had installed quick accommodation with a lifespan of around 15 years: a costlier approach, over the longer-term. The NAO also noted that the maintenance backlog had grown to £1.8 billion.
- 2.3. Also in December 2024, the government’s *10-Year Prison Capacity Strategy* (Ministry of Justice, 2024a) committed the government to delivering 14,000 places by 2031, creating a total estimated capacity of c. 99,000 by November 2032. The *Strategy* estimated demand on prison places, by November 2032, at between 97,300 and 112,300 prisoners. The government has committed £2.3 billion (out of an estimated total cost of between £9.4 and £10.1 billion) to prison expansion programmes during 2024-25 and 2025-26, and £220 million and £300 million over the same two years to prison maintenance.
- 2.4. In summary, successive governments have pursued unrealistic expansion plans, with significant budget overruns, while neglecting essential maintenance and exacerbating systemic inefficiencies.

3. Prison estate capacity: demand and supply

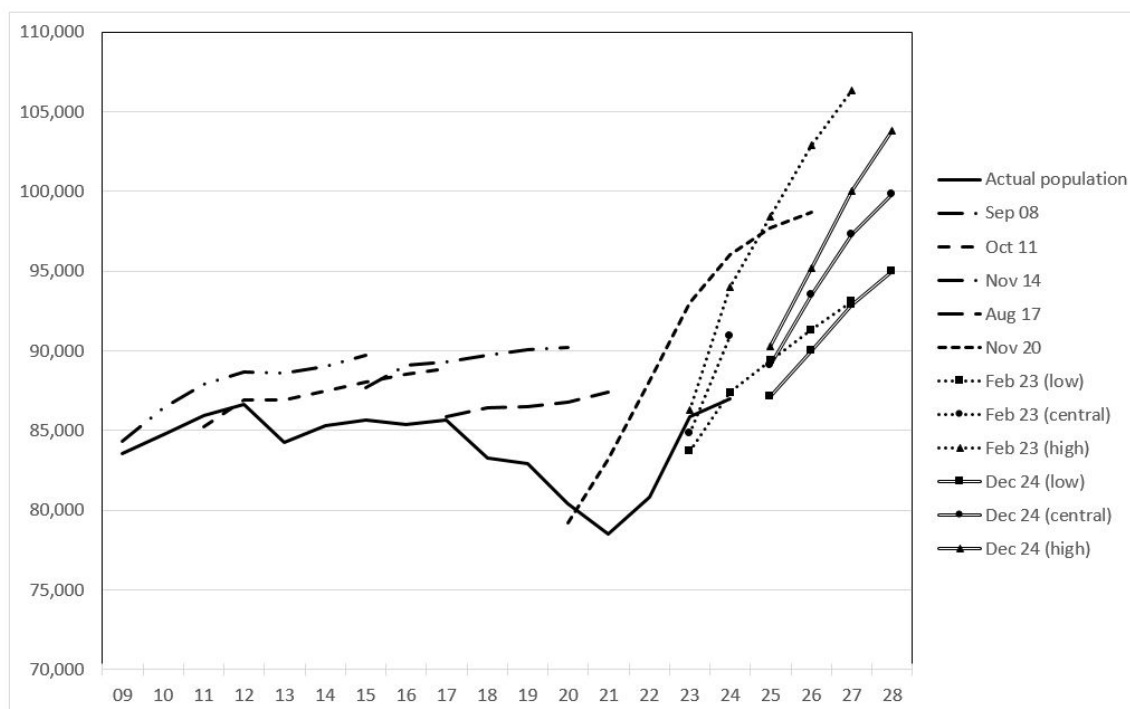
3.1. The 2019 House of Commons Justice Committee report, *Prison Population 2022*, observed that “a series of political and policy choices by successive governments and parliaments” have been the “most significant contributor” to the rise in the prison population (Justice Committee, 2019). Figure one illustrates the effects of these political and policy choices. The columns show the average prison population across four periods of recent political history. The black line shows the average annual prison population across all the years.

Figure one: Average prison populations across four political periods, 1964 to 2024



- 3.2. Across some sixty years, growth in one period laid the foundation for further growth, and a higher average prison population, during subsequent periods.
- 3.3. Figure two compares various prison population projections with the actual population (solid black line). It includes the most recent projection published in December 2024 (Ministry of Justice, 2024b).

Figure two: Prison population projections and the actual population, 2009 to 2028



3.3. While prison population projections have, over time, been reasonably accurate at predicting general trends, they have tended to overestimate population growth. The overestimation effect is, in part, because projections help to focus ministerial minds on the necessary steps required to head-off unsustainable growth, through measures such as, the SDS 40 early release scheme.

3.4. Future prison population levels, and the degree to which they correspond to current projections, will therefore depend on the political and policy choices made by the government of the day and by parliament.

4. Conclusions and recommendations

- 4.1. Prison population projections are a useful tool for managing demand and planning appropriate capacity. There is, however, a lack of transparency on the part of the Ministry of Justice over the methodology used in the prison population projections, which reduces the scope for expert scrutiny that could help to improve the robustness and accuracy of future projections. **We recommend that the Ministry of Justice makes its methodology available to external researchers, to allow for replication and increase understanding of forward pressures on prison capacity and how they might best be managed.**
- 4.2. The current approach to the prison estate is unbalanced, with significant investment in building expensive new capacity, and systematic underinvestment

Written evidence from the Centre for Crime and Justice Studies (PEC0006)

in maintaining the existing estate in good condition. This is indicated by the doubling in the estimated maintenance backlog, from £900 million to £1.8 billion, over the past four years. Poorly maintained and deteriorating prisons are bad for staff, visitors and prisoners. Cells and facilities left in disrepair also go out of use more quickly, making it more difficult for necessary prison capacity to be maintained. **We recommend that the Ministry of Justice allocate a realistic budget to prison maintenance and make it a priority to work through the maintenance backlog as soon as possible.**

- 4.3. In its 2019 report, *Prison Population 2022*, the Justice Committee noted the “large gap between the money allocated to prisons by the Treasury and the current costs of running and maintaining them”. To close this gap, the Committee further noted, “the Ministry of Justice has estimated that it would have to reduce the prison population by 20,000 places. By the Ministry’s own admission this is not achievable under existing strategies and funding arrangements”. The Committee further noted that “ploughing funding into building prisons to accommodate prison projections is not a sustainable approach in the medium or long-term” (Justice Committee, 2019). In her Foreword to the *10-Year Prison Capacity Strategy*, the Lord Chancellor acknowledged that anticipated prison population growth “will exceed our ability to build new prison places” (Ministry of Justice, 2024a). **We recommend that the Ministry of Justice publishes a long-term plan to contain and then reduce the prison population, in order to close the gap between the money allocated and the costs of building, running and maintaining prisons. Such a plan would need to be supported by legislative, spending and policy changes, undertaken on a cross-departmental, and cross-party, basis.**

References

- Justice Committee (2019), *Prison population 2022: planning for the future. Sixteenth Report of Session 2017-19*. HC 483. London: House of Commons.
- Ministry of Justice (2024a), *10-Year Prison Capacity Strategy*. CP 1219. London: Ministry of Justice.
- Ministry of Justice (2024b), *Prison Population Projections 2024 to 2029, England and Wales*. London: Ministry of Justice.
- National Audit Office (2024), *Increasing the capacity of the prison estate to meet demand. Session 2024-25*. HC 376. London: House of Commons.
- Public Accounts Committee (2020), *Improving the prison estate. Fifteenth Report of Session 2019–21*. HC 244. London: House of Commons.

January 2025