

PRISON SERVICE JOURNAL

July 2022 No 261

Special edition:



Sentenced to die in prison: Reflections on whole life orders

Dr Catherine Appleton is Senior Research Fellow, Centre for Research and Education in Security, Prisons and Forensic Psychiatry, St Olav's University Hospital, and Department of Mental Health, Norwegian University of Science and Technology, Norway. **Hannah Gilman** is PhD Student and Associate Lecturer, Sheffield Hallam University, UK

Introduction

In a recent global study on life imprisonment, Van Zyl Smit and Appleton found that 65 out of 216 countries and territories across the globe allowed for the imposition of whole life imprisonment, with the UK being one of only two European countries (the other being Turkey) that had the power to impose fully irreducible life sentences.¹ Described as 'death by incarceration',² a whole life sentence represents the most punitive type of life imprisonment.³ Although whole life sentences in the UK were condemned by the Grand Chamber of the European Court of Human Rights as inhuman and degrading in the judgment in *Vinter* in 2013,⁴ they have become an increasingly popular sanction amongst legislators and the judiciary in England and Wales. The number of individuals serving such orders has grown from 23 prisoners in 2000 to 63 in 2021, an increase of 174 per cent.⁵ This number is set to rise further, given that the current government's Police, Crime, Sentencing and Courts Bill⁶ proposes to expand the existing criteria for judges to impose whole life orders, including the possibility to enact lifelong detention for the first time on convicted persons aged between 18 and 20 years old.

In this article, we first reflect on the evolution of whole life tariffs following the abolition of the death penalty, and consider how prior to the Criminal Justice Act 2003, life imprisonment never meant (whole) life in prison. Secondly, we examine the rise of the 'whole life order' (WLO) following the 2003 Act, and briefly reflect on the number of WLO prisoners who have died in prison. We then consider the impact of such sentences on individuals who are serving lifelong detention and assess the extent to which imprisonment for (whole) life is akin to a 'fate worse than death'.⁷ Finally, we examine some key challenges raised by permanent incarceration, and call for an in-depth review of the imposition and impact of this extreme form of punishment.

Life did not mean (whole) life

Up until the mid-twentieth century, the imposition of the death penalty was mandatory following a conviction of murder in England and Wales. However, death sentences could always be commuted to life imprisonment through a system of clemency known as the 'Royal Prerogative of Mercy', a system that was commonly used.⁸ Following the Murder (Abolition of Death Penalty) Act in 1965 and the abolition of capital punishment, life imprisonment became the mandatory

1. Van Zyl Smit, D. and Appleton, C. (2019). *Life imprisonment: A global human rights analysis*. Cambridge, MA: Harvard University Press.
2. Johnson, R. and McGunigall-Smith, S. (2008). Life Without Parole, America's other death penalty: Notes on life under sentence of death by incarceration. *The Prison Journal* 88(2), pp.328-346 (p.328).
3. Life imprisonment in England and Wales is a sentence that lasts until the death of the prisoner, but in most cases the prisoner will be considered for early release after serving a minimum term in prison, set by the judge. They will then serve the remainder of the sentence in the community under the supervision of the Probation Service (see Appleton, C. (2010) *Life after life imprisonment*. Oxford: Oxford University Press). When a *whole life order* is imposed, no minimum period is set, and the expectation is that the person will die in prison. Though relatively uncommon in the UK, such sentences are frequently imposed in the United States, known as 'life without parole' or LWOP (see e.g., The Economist (2021). Why life without parole is nearly always too long. The Economist, 10th-16th July 2021 edition).
4. *Vinter and Others v. United Kingdom*, ECtHR (apps. 66069/09, 130/10 and 3896/10), 9 July 2013 [GC].
5. *R v. Secretary of State for the Home Department, ex Parte Hindley* [2000] All E.R. 385 (HL); Ministry of Justice (2021) *Offender Management Statistics Quarterly Bulletin: October to December 2020, England and Wales*. London: Ministry of Justice.
6. Police, Crime, Sentencing and Courts Bill 2021: Sentence lengths for serious offenders factsheet, available at: <https://www.gov.uk/government/publications/police-crime-sentencing-and-courts-bill-2021-factsheets/police-crime-sentencing-and-courts-bill-2021-sentence-lengths-for-serious-offenders-factsheet> (accessed July 2021).
7. Hartman, K. (2013). The Other Death Penalty. In K. Hartman (Ed.). *Too cruel, not unusual enough: an anthology published by The Other Death Penalty Project*. Lancaster, CA: The Other Death Penalty Project (p.127).
8. Hood, R. and Hoyle, C. (2015). *The death penalty: A worldwide perspective (5th edition)*. Oxford: Oxford University Press (p.52).

sentence for all persons convicted of murder.⁹ However, life did not mean life in prison in a literal sense. The Royal Commission on Capital Punishment in 1953 noted that: 'A sentence of imprisonment for life is never carried out literally', and that while life-sentenced prisoners had died in prison before their minimum period of punishment had been set or communicated to them, there was 'no case recorded in which it has been decided that a person shall be kept in penal servitude until he dies.'¹⁰ The Commission reported that, at the turn of the century, 20 years was the maximum term of detention set for life prisoners in England and Wales. However, there was a downward trend, and by 1939, most life prisoners were released after serving between 10 and 13 years.¹¹ This reflected a growing recognition in the UK and Europe that, even with improved prison conditions, imprisonment for very lengthy periods was detrimental and inhumane. As noted by the Commission: 'If the cage were roomier and more comfortable, it would remain a cage.'¹²

Whole life prison terms only started to emerge towards the end of the twentieth century, following the introduction of the government's tariff-setting procedures in 1983, which came shortly after a number of murderers were convicted of widely reported crimes, and was 'clearly designed to ensure that some lifers would serve a longer portion of their sentence in prison.'¹³ For example, in July 1990, the Home Secretary (Minister of Justice), David Waddington, set 'whole life' as the minimum tariff period to be served in custody by Myra Hindley, one of the so-called 'Moors murderers'.¹⁴ In *Hindley's* case, the recommendation made by the Lord Chief Justice in 1982 was originally for a 25 year tariff or minimum prison term. This was increased in 1985 by then Home Secretary Leon Brittan to a 30 year tariff period, and not a whole life prison term. But as the period of 30 years came close to an end, it was increased to a whole life tariff, a decision confirmed by successive Home Secretaries until Hindley died in prison in 2002, aged 60, having served 36 years in prison.¹⁵

In the case of *Hindley*, the House of Lords (then the court of final instance in England and Wales) held unanimously that there was no reason in principle why a crime, if sufficiently heinous, should not be regarded as deserving of lifelong incarceration for the purposes of pure punishment.¹⁶ Yet even in *Hindley's* case, some hope remained that prisoners serving whole life tariffs could be considered for release by the Home Secretary if they made exceptional progress while in custody.¹⁷ Thus, at the end of the twentieth century, there remained the possibility of being considered for release before death, even with a whole life tariff.

The rise and deaths of WLO prisoners

The Criminal Justice Act in 2003 extended the scope of life imprisonment to include — *for the first time in legislation* — whole life orders as the ultimate penalty in England and Wales.¹⁸ The law provided that the imposition of WLOs should be considered as the *mandatory minimum* starting point for sentencing individuals over the age of 21 who were convicted of exceptionally serious offences, including premeditated killings, double murders, child murders and political murders.¹⁹ The 2003 Act also provided for the effective resentencing of existing life-sentenced prisoners who met the criteria of the new WLO. Importantly, there was no provision for any reduction or review of a WLO: the provisions of the 2003 Act meant that such persons could be sentenced to die in prison. The irreducible and punitive nature of the WLO in England and Wales was recently reaffirmed in the Sentencing Act 2020, which stated that: 'A whole life order is an order that the early release provisions are not to apply to the offender.'²⁰

Since the implementation of the 2003 Act, the number of WLOs imposed by the judiciary has dramatically increased. At least one (and sometimes as many as seven) WLOs has been imposed each year in England and Wales, with the sole exception being 2020 (the year of the onset of the global coronavirus

9. See Van Zyl Smit, D. (2002). *Taking life imprisonment seriously in national and international law*. The Hague: Kluwer Law International; Kandel, S. (2011). Life meaning Life: Is there any hope of release for prisoners serving whole life orders? *The Journal of Criminal Law* 75, pp.70-87.
10. Royal Commission on Capital Punishment (1953). *Royal Commission on Capital Punishment 1949-1953 Report* (Cmd. 8932). London: HMSO, para 644.
11. See n.10, paras 645-646.
12. See n.10, para 656. See also Council of Europe (1977) *Treatment of long-term prisoners*. Strasbourg: Council of Europe.
13. Shute, S. (2004). Punishing murderers: Release procedure and the "tariff". *Criminal Law Review*, pp.160-182 (p. 169). See also Padfield, N. (2002). *Beyond the tariff: Human rights and the release of life sentence prisoners*. Cullompton: Willan Publishing.
14. See Harrison, F. (1987). *Brady and Hindley: Genesis of the Moors Murders*. London: Grafton Books.
15. See Pettigrew, M. (2016). Myra Hindley: Murderer, Prisoner, Policy Architect. The development of whole life prison terms in England & Wales. *International Journal of Law, Crime and Justice* 47, pp.97-105; Millar, S., Hall, S. and Wilson, J. (2002). With release in sight and after 36 years in jail, Myra Hindley dies: Death of Moors murderer lets Blunkett off the hook. *The Guardian*, 16 November 2002, available at: <https://www.theguardian.com/uk/2002/nov/16/ukcrime.sarahhall> (accessed July 2021).
16. See n.5.
17. *Queen v. Secretary of State Home Department, ex Parte Hindley* [1997] EWHC Admin 1159 (18 December 1997). See also *Hindley v Regina, Secretary Of State for the Home Department*: CA 5 Nov 1998.
18. Appleton, C. and Grøver, B. (2007). The pros and cons of life without parole. *British Journal of Criminology* 47(4), pp.597-615.
19. See Schedule 21 of the Criminal Justice Act 2003 for a complete list of the specified offences.
20. Section 321(5) of the Sentencing Act 2020.

pandemic).²¹ As of 31st March 2021, the total number of whole life sentences imposed in England and Wales since the abolition of the death penalty was 99, the majority of which (72) have been imposed since the Criminal Justice Act 2003.²²

As others have noted, increases in the minimum terms to be served by life-sentenced prisoners in England and Wales in recent years have been driven by punitive political trends and legislative changes. They are not necessarily, as some have suggested, a direct consequence of shifts in the severity of murder²³ or caused by broader increases in the overall prison population (which rose by 24 per cent between 2000 and 2020²⁴; the population of individuals serving WLOs rose disproportionately, by 187 per cent, in the same period).²⁵ This increase is also not a direct result of a greater number of WLO individuals growing older in prison. Recent data from the Ministry of Justice indicates that a significant number of WLO prisoners in England and Wales have died at a relatively young age. Preliminary research suggests that as of 31st March 2021, 21 out of the 99 individuals who have been sentenced to whole life imprisonment died at an average age of 63 years old, having served, on average, 19 years in prison. That is, 18.5 years below the national average life expectancy.²⁶ Furthermore, whole life prisoners appear to be serving less and less time in prison before death, whilst also seemingly dying in prison at a younger age. Those individuals who started their whole life sentence prior to 2000 and have since died in prison (11 people), died at an average age of 68 years, having served an average of 29 years in prison. Comparatively, those sentenced to whole life prison terms between 2000 and 2020 who have since died (10 people), did so at an average age of 56 years, having served an average of seven years in prison, including two WLO prisoners who committed suicide.²⁷ Though a relatively small cohort of prisoners, this raises significant questions about the imposition and impact of WLOs, the detrimental effects of lifelong detention, the

conditions of confinement and regime for this group of prisoners and their physical and mental health, and demands review and assessment of what it is like to be sentenced to die in prison.

A fate worse than death?

[Life in prison is] a slow, torturous death. Maybe it would have been better if they had just given me the electric chair and ended my life instead of a life sentence, letting me rot away in jail. It serves no purpose. It becomes a burden on everybody. (Benjamin Velasquez, serving life imprisonment without parole).²⁸

While there has been no comprehensive empirical study of prisoners serving WLOs in England and Wales, a small but growing international literature has started to shed light on what it might be like to serve the most extreme form of life imprisonment.²⁹ Accounts from prisoners serving life imprisonment without parole (LWOP) sentences in the United States suggest the pains of imprisonment are particularly acute for this group of prisoners. They report the penalty to be inherently inhumane; a sentence of 'continual despair', 'infinite meaninglessness', a 'slow death row' and 'a fate worse than death.'³⁰ This can result in some LWOP prisoners feeling that immediate death would be preferable: 'We have a guy [serving LWOP] in here right now he says, you know, 'It would be better if they just take us out back and shot us.'³¹ In similar vein, Vannier's (2021) analysis of 298 written testimonies from LWOP prisoners in California found that almost all of the men and women who shared their stories, described their punishment as akin to a death sentence. As one participant wrote:

[As an LWOP prisoner] ... You simply have no tunnel or light — you just exist in a separate

21. Freedom of Information Requests from the Ministry of Justice, dated 21 December 2020, 11 February 2021, 9 March 2021, 8 April 2021 and 21 May 2021.
22. See n.21. The total figure of 99 does not include individuals who were sentenced to whole life imprisonment but were subsequently released under the Good Friday Agreement. It also does not include whole life sentences that were set and subsequently reviewed by the Secretary of State 'resulting in the tariff being changed to one of a specified length with an expiry date' (Freedom of Information Request, 8 April 2021).
23. Crewe, B., Hulley, S. and Wright, S. (2020) *Life Imprisonment from Young Adulthood: Adaptation, Identity and Time*. London: Palgrave Macmillan.
24. <https://www.prisonstudies.org/country/united-kingdom-england-wales> (World Prison Brief, accessed July 2021).
25. See n.21; *R v. Secretary of State for the Home Department, ex Parte Hindley* [2000] All E.R. 385 (HL).
26. Life expectancy in the UK at birth between 2017-2019 was 79 years for males and 83 years for females. See: <https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/lifeexpectancies> (accessed July 2021).
27. See n.21; Scott-Moncrieff, L., Briscoe, J. and Daniels, G. (2009) *An independent investigation into the care and treatment of Daniel Gonzales: A report for NHS South East Coast (formerly Surrey and Sussex SHA) and Surrey County Council*, available at: http://hundredfamilies.org/wp-content/uploads/2013/12/DANIEL_GONZALES_SEPT2004-.pdf (accessed July 2021).
28. Zehr, H. (1996). *Doing life: Reflections on men and women serving life sentences*. Intercourse, PA: Good Books (p.86).
29. See e.g., n.2.
30. See n.7, pp.123, 177, 29, and 127 respectively
31. Leigey, M. (2015). *Serving a life without parole sentence: The forgotten men*. New Brunswick: Rutgers University Press (p.15).

*dimension, floating what seems between life and death. One foot amongst the living and one foot in the grave. Forever floating, never settling, a nomad, a constant traveller to nowhere, taken over by the jet stream of uncertainty... you literally exist simply to die!*³²

Importantly, Vannier's recent study starts to unpack the concept of 'death' and the process of dying in prison, a concept that remains underexplored in prison sociology. Drawing attention to the horror and severity of whole life sentences, Vannier highlights three sociological dimensions of death that emerge from prisoners' understandings of LWOP as a death sentence: (i) *procedural death* — the limited access LWOP prisoners have to their sentences being reviewed and overturned; (ii) *carceral/social death* — the exclusion of LWOP prisoners from rehabilitation programmes and activities that help people find meaning and purpose; and, (iii) *embodied death* — the ageing processes and illnesses that impact prisoners' bodies, and the limited care offered by medical and prison staff to LWOP prisoners who are considered ineligible for compassionate release, even when terminally ill.³³ Vannier suggests that the argument from death penalty abolitionists and campaigners that life in prison preserves prisoners' lives and is more humane than the death penalty, misrepresents and understates the severity of LWOP, as well as the implications for the people serving it. Even prisoners on death row believe that life imprisonment without parole is a worse punishment than the death penalty.³⁴

The challenge of life meaning death

The emergence and growth of whole life sentences across different jurisdictions has attracted significant concern and criticism in recent years.³⁵ Furthermore, the legal status of whole life detention has been the subject of much scrutiny by the European

Court of Human Rights. Through a series of decisions,³⁶ there has been a growing recognition of a human right that all life prisoners should have access to a process that gives them hope of release in the light of progress made in prison and the capacity of every human being to change, despite any crime committed. This is not to say that life prisoners should be released where they remain dangerous. The Court has been keen to emphasise that a right to have a sentence reviewed is different from a right to be released from prison.³⁷ However, there needs to be hope to be considered for release and a clear method of rehabilitation and review. Prison sentences that are irreducible, denying all hope of release, violate human dignity.³⁸ This rationale was powerfully expressed by Judge Power-Forde in her concurring opinion in *Vinter*:

*This judgment recognises, implicitly, that hope is an important and constitutive aspect of the human person. Those who commit the most abhorrent and egregious of acts and who inflict untold suffering upon others, nevertheless retain their fundamental humanity and carry within themselves the capacity to change. Long and deserved though their prison sentences may be, they retain the right to hope that, someday, they may have atoned for the wrongs which they have committed. They ought not to be deprived entirely of such hope. To deny them the experience of hope would be to deny a fundamental aspect of their humanity and, to do that, would be degrading.*³⁹

Globally, the impact of the *Vinter* judgment has been significant, leading to the abolition of formal whole life sentences with no prospect of release in jurisdictions as diverse as the Netherlands, Lithuania, Zimbabwe and Belize.⁴⁰ Yet despite the decision in *Vinter*, WLOs continued to be imposed in England and

32. Vannier, M. (2021). *Normalizing extreme imprisonment: The case of life without parole in California*. Oxford: Oxford University Press (p.95).

33. See n.32, pp.91-106.

34. Egelko, B. (2012). Death Row inmates oppose Prop. 34. SFGate, 24 September 2012, available at: <https://www.sfgate.com/news/article/Death-Row-inmates-oppose-Prop-34-3891122.php> (accessed July 2021). See also n.32 (p. 95).

35. See e.g., Penal Reform International, Van Zyl Smit and Appleton (2018). *Life imprisonment: A policy briefing*. London: Penal Reform International; Seeds, C. (2021). Life Sentences and Perpetual Confinement. *Annual Review of Criminology* 4, pp.287-309.

36. See e.g., n. 4; *Trabelsi v. Belgium*, (Application no. 140/10), 4 September 2014; *Murray v The Netherlands*, ECtHR (app. 10511/10), 26 April 2016 [GC] and *Matiošaitis; Others v. Lithuania*, ECtHR (apps. 22662/13, 51059/13, 58823/13, 59692/13, 59700/13, 60115/13, 69425/13 and 72824/13), 23 May 2017 and *Petukhov v. Ukraine* (No.2) ECtHR (app. 41216/13), 12 March 2019.

37. In *Vinter and Others v. United Kingdom* (2013), for example, the court stated: 'Whether or not they should be released would depend, for example, on whether there were still legitimate penological grounds for their continued detention and whether they should continue to be detained on grounds of dangerousness' (see n.4).

38. See Van Zyl Smit, D. Weatherby, P. and Creighton, S. (2014). Whole life sentences and the tide of European human rights jurisprudence: What is to be done? *Human Rights Law Review* 14(1), pp.59-84. For wider reflections on the 'right to hope', see Seeds, C. (2022). Hope and the Life Sentence. *British Journal of Criminology* 62(1), pp.234-250.

39. See n.4, Concurring Opinion of Judge Power-Forde.

40. Netherlands: *Hoge Raad*, 5 July 2016, Hoge Raad, 19 Dec 2017 and *Besluit Adviescollege levenslanggestraften Strct.* 2017, 32577; Lithuania: *Matiošaitis and Others v. Lithuania* (2017) and *Dardanskis and Others v Lithuania* (Application No. 74452/14) (ECHR, 18 June 2019); Zimbabwe: *Makoni v. Commissioner of Prisons CCZ 8/16*, 13 July 2016; Belize: *R v. August, Court of Appeal of Belize*, 4 Nov 2016; *August and Gabb v. The Queen*, Caribbean Court of Justice CCJ 7 AJ, 29 March 2018.

Wales. It was claimed that there existed a release mechanism available to WLO prisoners, as the Secretary of State for Justice had the power to release any life prisoner on compassionate grounds in 'exceptional circumstances', under section 30 of the Crime (Sentences) Act 1997. Though no one subject to a WLO had ever been released, the apparent existence of this power was enough to convince the European Court in the case of *Hutchinson* in 2017 that individuals serving WLOs in England and Wales had a *possibility* of release. The UK was therefore compliant with Article 3 of the European Convention on Human Rights as the right of WLO prisoners not to be subjected to inhuman or degrading treatment and punishment, was not infringed.⁴¹ The then Secretary of State for Justice welcomed the decision in *Hutchinson*, commenting that it was 'right that those who commit the most heinous crimes spend the rest of their lives behind bars',⁴² thus immediately casting doubt on whether such prisoners would ever be fairly considered for release in the future.⁴³

The resultant picture is that the number of WLO prisoners continues to rise in England and Wales and is likely to increase faster than before, in the light of the Government's *Police, Crime, Sentencing and Courts Bill* (2021) which extends the possible offences and age groups that can attract a whole life sentence (as noted above).⁴⁴ Though often presented by government officials as representing a 'tough on crime' strategy or as 'a smarter approach to sentencing',⁴⁵ such proposals tend to normalise extreme punishments and keep people in prison long after they have lost the capacity or inclination to commit crime.⁴⁶

In practice, lengthy and whole life prison terms raise significant questions, not only about the difficulties in predicting an individual's future conduct and dangerousness,⁴⁷ but also about the housing and management of ageing and dying prison populations. In the USA, there are some prisons that house so many

elderly prisoners that they have created special facilities for medical and geriatric care.⁴⁸ Such systems are not cheap — one estimate suggests that older prisoners are three times more expensive than younger prisoners.⁴⁹ As Nellis (2021) recently highlighted, both state and federal prisons in the USA now face 'a crisis of managing a growing population of elderly prisoners who are costly to house, feed, and provide medical care for — but even more important, who pose no serious threat to public safety.'⁵⁰ Similarly in England and Wales, those aged 50 and over currently 'represent the fastest-growing demographic group in prison' and pose significant challenges and dilemmas for the Prison Service.⁵¹

Further, the imposition of whole life imprisonment raises the question of the underlying purpose and rationale of the prison system. Retribution, incapacitation and deterrence are among the main justifications for imposing and expanding the criteria of whole life prison sentences, but a key priority, and 'Statement of Purpose' for the Prison Service in England and Wales is to look after prisoners 'with humanity and help them lead law-abiding and useful lives in custody and after release.'⁵² Doubtless, the extent to which this overarching aim can be achieved and operationalised for the growing population of WLO prisoners represents a significant challenge to managers and practitioners in the Prison Service. It is time for an in-depth review of the practical, ethical and political issues that surround the practice of sentencing individuals not to 'life', but to die in prison.

Acknowledgements

The authors would particularly like to thank the editors of this Special Issue, Susie Hulley and Serena Wright, as well as their good friend and colleague, Dirk van Zyl Smit, for their thoughts, suggestions and helpful comments.

41. *Hutchinson v. the UK* [2017] ECtHR 57592/08.

42. *The Sun* (2017). Lifer loses appeal: Triple murderer Arthur Hutchinson's latest appeal against UK life sentences dismissed by EU human rights judges (18 January 2017). Available at: <https://www.thesun.co.uk/news/2640546/triple-murderer-arthur-hutchinsons-latest-appeal-against-uk-life-sentences-dismissed-by-eu-human-rights-judges/> (accessed August 2021).

43. For critical reflection, see Pettigrew, M. (2015). Whole of life tariffs in the shadow of Europe: Penological foundations and political popularity. *The Howard Journal* 54: 294-306; Pettigrew, M. (2017). Retreating from *Vinter* in Europe: Sacrificing whole life prisoners to save the Strasbourg Court? *European Journal of Crime, Criminal Law and Criminal Justice* 25, pp.260-277.

44. See n.6.

45. Ministry of Justice (2020). *A Smarter Approach to Sentencing*. London: Ministry of Justice.

46. See n.32; Seeds, C. (2022, forthcoming) *Death by prison: The emergence of life without parole and perpetual confinement*. Berkeley, CA: University of California Press.

47. For critical review of recidivism rates among paroled life-sentenced prisoners, see n.1, pp.281-5.

48. E.g., Alabama's Hamilton Correctional Facility provides 24-hour nursing care and Louisiana's State prison in Angola has its own funeral industry (see n.18, p.604).

49. *The Economist* (2021). Pointlessly punitive, 10-16th July 2021, p.14.

50. Nellis, A. (2021). *No end in sight: America's enduring reliance on life imprisonment*. Washington, DC: The Sentencing Project (p.8).

51. Ridley, L. (2021). No place for old men? Meeting the needs of an ageing male prison population in England and Wales. *Social Policy and Society*, pp.1-15. DOI:10.1017/S1474746421000178.

52. Coyle, A. (2003). *Humanity in prison: Questions of definition and audit*. London: International Centre for Prison Studies (p.10).