

Haverigg Prison

Head of Service: Tim Capper, Heads of Democratic Services
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Recommendation: that (A) the report by Councillor Pitt at Appendix "A", or an amended version, be sent to Anne Owers, the Inspector General of Prisons, seeking support for a Community Prison in Cumbria,

(B) support be sought from Rob Allen, the Director of The International Centre for Prison Studies and from Juliet Lyon the Director of the Prison Reform Trust prior to petitioning the Home Secretary, and

(C) the County Council and the other District/Borough Councils across Cumbria be asked for their support for the principle of making HMP Haverigg a community prison.

BACKGROUND

At Appendix "A" is a report from Councillor Pitt regarding the possible creation of a community prison for Cumbria at Haverigg Prison.

Councillor Pitt has been asked to attend this committee to answer any questions arising from the report.

The Committee is invited to consider the report and the recommendations at the end of the report which have been reproduced above.

It is also worth considering whether it would be useful for the committee to have a site visit at the prison to hear the prison service's views on these proposals. This could be arranged for the next meeting of the committee.

List of Appendices

Appendix "A" – Prisons and Safer Communities – Robin F Pitt 10 March 2008

List of Background Documents:

None

Prisons and Safer Communities

Introduction

Between 2000 and 2004 the International Centre for Prison Studies (ICPS) undertook a project in Gateshead which questioned the retributive model of prison and tested the extent to which prisons might be based on restorative principles.

Rob Allen, the Director of the ICPS, stated that:

“... the project reminded all those involved that the role which prisons play in achieving the wider objectives of greater public safety and cohesion is necessarily a limited one. The measures needed to produce better outcomes for victims, offenders and the neighbourhoods in which they both tend to live lie not behind prison walls but in the way people in deprived and vulnerable communities are housed, employed and educated, the extent to which the health services treat substance abuse and mental illness and the availability of accessible opportunities to address and remedy their problems.

The project highlighted the awareness of the paradox that has long bedevilled the delivery of measures to offenders known to the Criminal Justice System (CJS). While the services are by and large delivered at a local level the arrangements for supervising convicted known offenders are not. Local authorities and agencies have almost no say on how the £4.5 billion of public money spent on prison and probation is used.”

The local government publication ‘firstnews’ reported on 30 June 2007 that the ICPS report found that prisoners were largely drawn from the most deprived areas studied - and that councils were, therefore, best placed to co-ordinate the housing, education, work and health care they needed for their rehabilitation. They further pointed out that “the report also argues that making local taxpayers responsible for paying for imprisonment could focus attention on its high costs (£37K per year per prisoner) and limited benefits, and stimulate more constructive responses - as has happened in the United States.”

LGA vice chairman Sir Jeremy Beacham said :

“the findings resonated strongly with work carried out by the LGA. The LGA’s ‘Neighbourhood by neighbourhood’ argued that rising rates of crime and re-offending can only be tackled locally - particularly by councils. Local Authorities have vital expertise in key areas for rehabilitation, such as housing, education, employment, drug treatment and family support.

Research shows that having a job can reduce the risk of re-offending by up to a third, whilst stable accommodation can reduce re-offending by up to almost a quarter.”

Lord Phillips, the Lord Chief Justice, told the Commons constitutional affairs committee in June 2007 that:

“... although a short period in prison acted as a punishment, that is not necessarily the best way of protecting the public - which may well be rehabilitation. If you’re paying money to punish them you are not spending it on other things - schools, hospitals, or trying to prevent them turning into criminals in the first place.”

In a report commissioned by the New Local Government Network, Victoria Barbary stated that

“ A key failing of the criminal justice system is that a majority of offenders in Britain will go on to commit another crime. Almost half of all offences are committed by people who have already been through the system. Of those prisoners released from custody in 2004, 65% re-offended. The financial costs to society are also high. A report by the Social Exclusion Unit in 2002 estimated that re-offending by ex-prisoners costs £11 billion per year.”

She further said,

“ there is a better framework for delivery to reduce re-offending. The solutions to break the cycle of re-offending are at a local level. In line with the approach of Local Area Agreements (LAAs), giving local partnerships a strengthened role in reducing re-offending would be more effective at delivering on the Government’s priorities.”

This report will explore the current system for imprisoning offenders, how it affects Cumbria and Copeland’s population, how a community prison with local government involved in its planning and management might work to good effect and recommendations for taking this forward.

Current Prison Situation

There is one prison in Cumbria, HMP Haverigg. It currently houses up to 623 sentenced, adult males who, because they cannot be trusted in open prison conditions but are seen as not having the resources and motivation to make a determined escape attempt, are classified as Category C. They are further restricted in that anyone sent to this prison must be able to work and any medical condition must be stabilised before entry, as there are no residential health care facilities in the prison. Neither are there any detoxification facilities though it is anticipated that prisoners on a methadone treatment programme will be able to reside at the prison.

In early January 2008 the Senior Probation Officer of HMP Haverigg stated at a meeting with Members and Officers of Copeland Borough Council that there were 400 sentenced men and 20 sentenced women from Cumbria within the prison system. She also explained that the break down of prisoners at HMP Haverigg was as follows:

Cumbria 106
Lancashire 227
Merseyside 87
Manchester 76
Cheshire 17
Northumbria 23
Durham 4
West Yorkshire 11
London 3

Furthermore the prison held around 130 High Risk of Harm and Multi Agency Public Protection Arrangements (MAPPA) prisoners of which only 20 were from Cumbria

and that of the 18 Cumbrian prisoners who were the subject of Public Protection Orders only four of these were at Haverigg.

Consequently all Cumbrian prisoners on remand, all sentenced females and young offenders of both sexes, together with all sentenced male category A, B and D prisoners must be allocated to prisons outside the county, together with those male Category C prisoners who do not meet the above mentioned criteria for HMP Haverigg.

Once sentenced Cumbrian male prisoners, even if Category C are not automatically transferred to HMP Haverigg and may find themselves allocated to any prison in the North West region. Females are likely to be sent to HMP Styal in Cheshire and young male offenders could end up in HMYOI/RC Lancaster Farms or HMYOI Deerbolt in County Durham or HMYOI/RC Castington which also is in County Durham.

How Cumbria's Population is Affected by the Current Prison Situation

It will be clear from the foregoing that few offenders from Cumbria reside in the County's sole prison. The vast majority are incarcerated in penal establishments far outside Her Majesty's Prison Service's own recommended maximum of fifty miles from home. This makes visiting by families difficult and is one of the reasons why 43% of prisoners lose contact with their family whilst in prison (Social Exclusion Unit Report - Reducing Re-offending by Ex-prisoners 2002). Other national statistics which apply to the Cumbrian situation and highlighted by Action for Prisoners Families are as follows -

- Prisoners who maintain contact with their family whilst inside are up to six times less likely to re-offend on release (Social Exclusion Report 2002)
- Overcrowding and allocation problems mean that many families face a round trip of at least 5 hours to visit a prisoner. The problem is exacerbated by poor public transport links to prisons, especially those in rural areas.
- More than 150,000 children experience the imprisonment of a parent every year (Social Exclusion Report 2002). As a result 7% of the child population will experience the imprisonment of a parent during their time in school.

In his first major speech on penal policy as Home Secretary, Charles Clarke emphasised the importance of imprisonment to protect the public from dangerous offenders. But he also advocated more use of non custodial sentences for less serious criminals. His concept of community prisons was for prisoners serving short terms, including those with drug or mental health problems. In an interview with the Guardian, Mr Clarke said:

"We need to get to a state of affairs where prisoners are able to reintegrate into society through developing their relations with their friends and family. The break in that - and it happens often - is the damaging thing in peoples' ability to stop re-offending."

Jack Straw said as recently as October 2007 that,
"Breaking up any connection offenders might have with their community and not doing enough to address problem behaviour can be a recipe for re-offending".

Given the fact that for many families of prisoners in Cumbria, especially those in South Copeland who have to negotiate a road and rail infrastructure which may well rank as one of the worst in England, it is likely that many of them will face a return trip considerably greater than the 5 hours quoted above. It follows therefore, that the 43% of prisoners losing contact with families is likely to be substantially higher and that the rate of re-offending may also be adversely affected.

The impact upon offenders themselves is best summed up by Juliet Lyon, the director of the Prison Reform Trust, in this extract from an article printed in the Guardian on 22 June 2006:

"The best staff in the best prisons spend much of their time processing petty offenders in and out of the gates and, when they can, repairing some of the harm that incarceration is bound to cause: making people less employable and likely to be jobless on release, less likely to hold a housing tenancy and more likely to be homeless on release, less able to maintain family links and more likely to be isolated on release. Prison staff do this vital work not because they have gone soft, but because they know that having a job, a roof over your head and family support are the three most important ways to break the cycle of crime and cut offending on release, re-offend within two years of release from prison - a disaster for public safety and a poor rate of return on spending £41,000 per year on locking them up."

Since the closure of some 30,000 psychiatric beds in the 1980s disproportionate numbers of offenders suffering from various forms of psychiatric illness are found in our prisons. According to the director of the Prison Reform Trust at any one time there are an estimated 5,000 prisoners awaiting transfer to psychiatric institutions. As Rob Allen reminds us:

"Finland (with a tenth of the population of England and Wales) has literally a handful of under 18s in prison, compared to almost 3,000 here. Finland has also almost 4,000 specialist psychiatric places for adolescents. However, an equivalent figure for the UK would be 40,000 - in fact there are 1,200."

Clearly then there are health implications for Cumbrian prisoners and their families. A percentage of these suffering from a form of psychosis at the time of their imprisonment may well return at the end of their sentence untreated and likely to re-offend as a consequence.

Community Prisons

Community prisons were first proposed by Lord Woolf in his report on the Strangeways riot in 1990 but never put into practice. In 2005 the then Home Secretary, Charles Clarke, resurrected the idea by saying that:

"Offenders serving short jail terms should be held in community prisons so that they can be closer to their families."

The implications for Cumbria, were HMP Haverigg developed as a community prison, could be that all sentenced, male prisoners both adult and young offenders of Category C and D (open conditions) were imprisoned there. Some conversion work might well be necessary but all the major requirements in terms of accommodation blocks and space to expand are on site. There would, however, be a need for further classroom and health care facilities.

The concept of a community prison ties in with the principle of restorative justice, which is being developed in the North East. According to the Area Resettlement and Voluntary Sector Co-ordinator, Paul Walton, restorative work:

- “Brings the work of prison and prisoners to the attention of local authorities, community organisations and the wider public. The positive and helpful ways in which this is done have the potential to aid resettlement planning and contribute to safer communities and crime reduction.
- Provides a framework for reducing the social exclusion of prisoners which was starkly identified in the Social Exclusion Unit Report (published 2002) on reducing re-offending by ex-prisoners.”

The benefits for Cumbria as a result of having a community prison would be self evident. Large numbers of Cumbrian prisoners would be closer to home and therefore, less likely to lose contact with family and friends. Such contact would reduce the risk of re-offending. Links with local employers could be established at the resettlement stage. Continued contact with the Health Trust responsible for their medical and psychiatric care. A greater chance of exploring re-housing with the appropriate agencies. All of which would have a positive impact upon reducing crime and making our communities safer places to live.

With still greater investment it would be possible to accommodate Cumbria's sentenced female population, with the added advantage of reducing the impact of children separated from their mothers for indefinite periods of time with all the developmental problems that entails. This would also serve to meet the recommendation of the Corston Report (March 2007) on women offenders which was that there should be,

“A clear strategy to replace existing women's prisons with suitable, geographically dispersed, small multi-functional custodial centres”.

Reducing the amount of travel to visit prisoners would result in a consequential reduction in road and rail traffic with resultant benefits to the County's carbon footprint. The impact upon the public purse would be a considerable reduction in claims from low income families (who are the vast majority) who are able to claim the cost of visiting from social security. Another financial benefit is that prisoners maintaining links with families, including accommodation, would receive discharge grants of half those for prisoners of no fixed abode.

An expansion of the existing prison at Haverigg would have the effect of increasing employment with a consequential impact upon house values. This in turn could have a favourable effect upon the unoccupied/derelict housing that currently blights Millom. The effect of a proactive resettlement unit linking in with local businesses could only

have a beneficial effect for commerce and industry in the area.

The existence of a substantial number of Category D prisoners would also provide opportunities for local projects to be completed on an unpaid basis. Clean ups and landscaping of public areas would be an obvious example.

Conclusion

To those who have been councillors for many years the idea of devolving powers down from central government (especially the Home Office) will seem unrealistic. Yet there has never been a better time to argue the case for local councils to play a greater role in the criminal justice system.

Liberal Democrat president, Simon Hughes told delegates at last year's LGA conference:

"There is a wish for people as well as councillors for a real pulling down of power from Westminster."

Hazel Blears, in her new role as Communities Secretary said:

"The biggest improvements in public services are driven not by the oversight of central government, but by local people - by communities having a chance to say what they want."

She also suggested that more control over the NHS and the police should be devolved to local people in the longer term.

David Cameron, leader of the opposition, also took forward the democratic argument for localism with particular reference to the police and social services.

Unlike Gateshead and the surrounding area we have had no study conducted that proves the majority of our offenders come from the poorest wards and areas of deprivation. Yet there will almost certainly be universal agreement that this is the case. Further more it is virtually certain that the greatest single investment those wards and areas will see are the sums of money spent on incarcerating a procession of offenders in various penal institutions whilst the underlying reasons for offending remain unaddressed.

Is it right that our (Copeland's) prison population should be at the greatest risk of re-offending simply because the nature of our road and rail infrastructure makes continued contact less likely than for virtually any other area of England? As an example Whitehaven to HMP Styal (womens' prison) by public transport using bus and rail will involve a round trip of between 9 and 10 hours. A further example would be Whitehaven to HMP Durham (male prison) an eight hours round trip.

Vivien Stern, who is Senior Research Fellow at the ICPS and a member of the House of Lords, in a joint article with Rob Allen states:

"Inappropriate prison sentences on minor offenders can send them on a journey around the prison system that takes them miles from their homes. In the end the consequences of these wasteful processes come back to be dealt with at the local level. The argument

for local involvement and control in dealing with offenders seems very powerful."

Recommendations

- That this report, or an amended version, should be sent to Anne Owers, the Inspector General of Prisons, seeking support for a Community Prison in Cumbria.
- Similarly support should be sought from Rob Allen, the Director of ICPS and from Juliet Lyon the Director of the Prison Reform Trust prior to petitioning the Home Secretary.
- The County Council and the other District/Borough Councils across Cumbria be asked for their support for the principle of making HMP Haverigg a community prison.

Robin F Pitt
10 March 2008

GLOSSARY

ICPS	International Centre for Prison Studies
IPP	Imprisonment for Public Protection applies to offenders who are convicted of a serious offence (that is a specified sexual or violent offence carrying a maximum penalty of 10 years imprisonment or more) and who are considered by the court to pose a "significant risk to members of the public, of serious harm".
MAPPA	<p>Multi-Agency Public Protection Arrangements, set up to manage offenders who pose a risk of serious harm</p> <p>LEVEL 1 involves single agency, most commonly Probation Service managing an offender without the active or significant involvement of other agencies to address risk issue.</p> <p>LEVEL 2 Referral where involvement of more than one agency is required but management plans are not complex and do not need the commitment of resources at a senior level.</p> <p>LEVEL 3 Activity meetings for these prisoners are known as Multi-Agency Public Protection Panel (MAPPP). The 'critical few' cases referred to MAPPP are those offenders who pose the highest risk of causing serious harm or whose management is so problematic that Multi-Agency co-operation at a serious level is required. Along side Police, Prison and Probation the following can also be included: Local Authority Social Services, Primary Care Trust, Job Centre+, Youth Offending Team, Registered Social Landlords, Local Housing Authority, Local Education Authority and Electronic Monitoring providers.</p>
MAPPP	Activity meetings for those prisoners on MAPPA Level 3.