

Response to Justice Committee inquiry ‘Rehabilitation and resettlement: ending the cycle of reoffending’ from the Institute for Crime & Justice Policy Research (17 January 2025)

Summary

The Institute for Crime & Justice Policy Research is conducting a comparative study of prison work in the UK and two other countries. In this submission we draw on our research to respond to the Committee on questions in its terms of reference regarding the work opportunities provided to adult prisoners in England and Wales.

This aspect of prison performance has been criticised as inadequate for several years and very few prisons are providing sufficient activity or effectively preparing prisoners for release. This is despite a significant policy focus in recent years on the need to increase levels and standards of work and training offered, in view of high reoffending rates and the challenges people face in obtaining work after release from custody.

Under prison rules on ‘purposeful activity’ and its remuneration, prison leaders have wide discretion to determine the mix of activity provided and the wages paid to working prisoners, subject only to a minimum rate of pay of £4 per week (paragraphs 6-10).

Prison work assignments fall into three types: prison services (involving tasks such as catering and cleaning which support the functioning of prisons); prison industries (which realises economic value from prisoners’ labour by employing them in workshops making products and services for consumption beyond the prison); and work in preparation for release (which seeks to upskill prisoners or provide experience to boost employment prospects after prison) (paragraphs 11-12).

It appears from the (severely limited) data that around 15% of prisoners work in prison industries and jobs or training in preparation for release; whereas those working in prison services roles may be as high as 70% (paragraphs 13-22).

The nature, quality and quantity of work and training offered depend variously on prison type and security classification; gender; sentence type; proximity to release; geographical location; physical and staff resourcing; and the priorities of individual prison leaders (paragraphs 20-22; 36; 42-44). We illustrate this with examples from our 2024 fieldwork at HMPs Coldingley, Standford Hill and Drake Hall (paragraphs 26-41).

Prisoners themselves value work and training opportunities, for the positive impacts they have on their wellbeing in custody and for their potential to improve their prospects on release; but quality provision is in short supply and some prisoners (in particular, remand and indeterminate sentenced prisoners) are routinely overlooked.

Poor physical facilities, unused workshop space, staffing difficulties, and above all prison population pressures, are barriers to the provision of work and training (paragraphs 49-52). Examples of good practice drawn from our fieldwork are given at paragraphs 53-56.

The following conclusions are made:

1. The government should publish system-wide data on the work and training opportunities provided to prisoners, in all three main categories of work.
2. Data should be published on the wages paid to working prisoners.
3. There is a case for increasing prisoners' minimum weekly pay rate to a level that better accords with the resocializing aims of prison work, and does not create the perception of labour exploitation.
4. Focus is needed on providing work and training opportunities to remand prisoners and those on indeterminate sentences whose release is further off.
5. Lessons should be learned from practices at open prisons in providing work and training; and the scope for increasing the use of open prisons should be explored, given their strong track record in providing opportunities that prepare prisoners for release.
6. The government must employ all available measures to reduce the overall size of the prison population; unless it does, the quantity and quality of work and training provided to prisoners will not improve.

Introduction

1. The Institute for Crime & Justice Policy Research ([ICPR](#)) conducts academically grounded, policy-oriented research on justice across a wide range of themes. ICPR's prisons research team monitors trends in world prison populations and conducts comparative thematic research to understand the causes and consequences of rising levels of imprisonment. A core component of this involves compiling and hosting the [World Prison Brief](#), a unique database that provides free access to information about prison systems throughout the world.
2. We are currently conducting comparative research on the provision of prison work and training, through our project, 'Unlocking Potential: towards effective, sustainable, and ethical provision of work opportunities for prisoners and prison leavers'. This examines the law, policy, and practice of work opportunities provided to prisoners in the UK, the US, and Brazil.¹
3. This submission focuses principally on the issues raised in Section 2 of the Terms of Reference, drawing on legal, policy and field research from the 'Unlocking Potential' project. We have conducted numerous expert interviews, as well as fieldwork observations and focus group discussions with adult male and female prisoners about their experience of work and training opportunities in prison. The fieldwork was conducted in June and August 2024 at three English prisons: HMP Coldingley, HMP Stanford Hill, and HMP Drake Hall.²

Provision of work opportunities in adult prisons in England & Wales

4. We welcome the Committee's decision to hold its first inquiry of this Parliament on prison rehabilitation and resettlement. HM Inspectorate of Prisons annual report for 2023–24 expressed serious concerns about levels and standards of purposeful activity in almost all the adult prisons inspected, despite a concerted policy focus in recent years on raising levels of meaningful work and training for prisoners and prison leavers. The report found that staff shortages are adversely impacting the offer of work and training; and that the range, quantity and quality of work offered does not equip prisoners with the skills needed for employment on release. Only open prisons were found to be effectively preparing prisoners for release. This has limited impact: fewer than 5% of prisoners are held in open prisons in England and Wales.³
5. Before addressing the questions in Section 2 of the inquiry's terms of reference, we discuss what is meant by 'purposeful activity' and what kinds of activity are encompassed by 'prison work'.

Terminology

What is 'purposeful activity'?

6. The term 'purposeful activity' is commonly used but lacks a statutory (or single accepted) definition. This is unhelpful because the amount of purposeful activity is a measure of prison

¹ A fuller description of the project and its publications to date can be accessed at <https://www.prisonstudies.org/unlocking-potential>

² This element of the research will be published as prison case studies later in 2025.

³ Estimate based on Ministry of Justice (JSAS/FOI-200910005), a 2020 FOI response on the number of people in open prisons.

performance and is commonly used to hold prisons to account. Engagement in purposeful activity also has important ramifications for working prisoners' pay.

7. Prison Service Instruction 38/2010 states that 'acceptable activities should be constructive and contribute to one or more of the following: positive social interaction among prisoners or between prisoners and others; offering prisoners the opportunity to make constructive use of their time; development of interpersonal skills e.g. communication skills; the prisoner's physical, mental, or emotional well-being; prosocial behaviour; maintenance or rebuilding of family ties.'
8. HM Inspectorate of Prisons defines the term to mean any 'activity which is likely to benefit [prisoners]'.⁴ This can include time out of cell, suggesting that 'purposeful' activities are simply those which do not involve prisoners being locked in a cell. Meanwhile OFSTED (which is responsible for inspecting work as well as education provision in prisons) tends to evaluate 'work' according to whether its provision is built around a curriculum and planned in a way that promotes personal development.
9. It follows that prison governors have latitude in how they organise activities. Some will prioritise economically productive activities, or those that prepare prisoners to participate in the economy after release. Others will focus on education or programmes helping prisoners to address the causes of offending behaviour. In some prisons, activities may simply function to keep prisoners busy so that they are not confined in cells. The precise mix of activities to be found in any given prison will depend partly on the prison's function (more on this at paragraphs 23ff. below). It will also reflect how its leaders understand and set their priorities.
10. Another reason this term is significant is that prisoners are entitled to be paid for engaging in purposeful activity. Prison Service Order 4460 creates a mandatory minimum rate of £4.00 per week⁵ and requires pay arrangements to be transparent, and 'not [to be] applied in an arbitrary or discriminatory way'. Otherwise, decisions about pay are left to governors' discretion in line with local 'regime priorities'. Unlike in some other countries,⁶ there is no entitlement to sentence remission for prisoners who work, meaning that pay is the primary incentive offered. Generally, work in prison—even on commercial contracts—is paid at prison wages, which vary according to local discretion but with a minimum rate that has not been changed since 2002.

What is 'work' in prison?

11. In our research on prison work, we distinguish between three broad types of work, which draw on distinctions made by the 2018 Education and Employment Strategy. The three types reflect international and national laws governing prison work, which a) recognise that some work is done directly to sustain prison functions; b) expect that prisoners who work in prison industries for private customers do so voluntarily, not under compulsion, and c) require that work should prepare prisoners for release wherever possible. In Table 1 below we provide our definitions of

⁴ See for example HM Inspectorate of Prisons, 'Expectations: Criteria for Assessing the Treatment of and Conditions for Men in Prison' p.37 at <https://www.justiceinspectorates.gov.uk/hmiprisoners/wp-content/uploads/sites/4/2023/09/Mens-Expectations-2023-FINAL.pdf>

⁵ (with minimum rates of £2.50 a week for 'unemployment pay' and 'short-term sickness pay', and £3.25 for 'long-term sickness and retirement pay' to prisoners who are unable to work)

⁶ In Brazil, federal law entitles prisoners who engage in work activities to receive one day's remission of sentence for every three days worked. This has become an important tool to control prison overcrowding.

the three types, along with examples of the jobs prisoners are typically allocated in the adult estate across each type.

12. These three types are not mutually exclusive. For example, a job in prison services (e.g. cooking in a prison kitchen) might result in skills and qualifications which increase post-release employability, and some vocational training initiatives operate on this basis. Similarly, some forms of prison work—e.g. waste management or laundry—might fall into ‘prison industries’ *and* ‘prison services’, if similar tasks are undertaken for both the prison and a commercial client.

Table 1: The three types of prison work

Type of prison work	Definition	Examples
Prison services	Work enabling prisons to perform their basic functions	• cooking meals in the prison kitchen • operating the prison laundry • offering information, advice and guidance to peers, where this is formally organised and recognised by the prison • peer mentoring schemes • work as a prison council member • work to support education staff
Prison industries	Work which realises the economic value of prisoners’ labour	• work in a prison contracts workshop packaging items for a private sector contractor • work in a prison contracts workshop manufacturing items (e.g. signs, furniture) for use by other prisons • work in a prison printing workshop producing items on contract to other • work in a prison laundry for commercial customers
Preparation for release	Work which develops prisoners’ skills or experience in preparation for their release from prison.	• work on day release in the community, for an outside business • vocational training programmes • prisoner apprenticeships • prison services or prison labour featuring links with potential future employers

What is the current offer of work in the adult prison estate?

Data on types of prison work

13. Detailed analysis of the quantity and types of prison work is constrained by a marked absence of system-wide statistical data on the work activities of prisoners. There are no data at all in two out of the three types of work offered: prison services and work in preparation for release.⁷ Some data on prison industries work have previously been available but are no longer released.
14. Without adequate annual data on work activities across adult prisons, it is difficult to track progress in this key aspect of prison performance, or match desistance outcomes with what we know of work and training offered to prisoners at different stages of their custody journey. This in turn prevents resources from being targeted effectively to raise levels and standards of work offered in prisons, making planning impossible.

Prison services data

15. The Ministry of Justice has estimated that in 2018 ‘over 13,000’ prisoners were working in ‘prison services’ at any one time.⁸ The basis for this estimate was not explained and we are not aware of any more recent estimate. The Ministry of Justice, in answering parliamentary questions on the number of prisoners in work in England & Wales in early 2023, said that it did not hold data on how many prisoners worked in prison services roles⁹ nor on how many prisoners were paid by prisons for working, as distinct from receiving unemployment pay or ‘retirement’ pay, or being paid to go to education.¹⁰
16. Prisoner survey data covering 2021/22 and 2022/23 published by HMIP suggest that around 70% of men and around 75% of women surveyed during those years reported that they had worked in a ‘prison job’ at their current location¹¹. Some of the work that prisoners self-report in these surveys will fall into the ‘prison services’ category and will include domestic activities such as catering, laundry, hairdressing, cleaning and maintenance of prison wings, along with activities such as groundskeeping, painting and decorating, and a range of other activities relating to the physical environment of the prison.
17. In view of the far smaller numbers reported in official data (above) as doing prison industries jobs and ROTL assignments, the above lends support to the proposition that prison services work is likely to comprise a larger proportion of the totality of work offered to prisoners.

⁷ This is with the one exception of prisoners engaged in work in preparation for release who are granted Release on Temporary Licence: see paragraph 21ff.

⁸ Ministry of Justice, 2018 Education and Employment Strategy (para. 6)

⁹ Ministry of Justice, ‘Prisoners: Employment | Question for Ministry of Justice UIN 146987, Tabled on 17 February 2023’ (UK Parliament, 27 February 2023)

At <https://questions-statements.parliament.uk/written-questions/detail/2023-02-17/146987>

¹⁰ Ministry of Justice, ‘Prisoners: Pay | Question for Ministry of Justice UIN 146988, Tabled on 17 February 2023’ (UK Parliament, 27 February 2023)

At <https://questions-statements.parliament.uk/written-questions/detail/2023-02-17/146988>

¹¹ See prisoner questionnaire data published with HM Chief Inspector of Prisons, ‘Annual Report 2021-22’ (HM Inspectorate of Prisons 2022) Annual report HC 411 accessed 21 November 2022; HM Chief Inspector of Prisons, ‘Annual Report 2022-23’ (HM Inspectorate of Prisons 2023) Annual report HC 1451 accessed 8 December 2023.

Industries data

18. Between 2012 and 2020, the Ministry of Justice published annual, system-wide overviews of prison industries work. This stopped in 2020/21 because, as the Ministry explained, changes to prison regimes during the Covid-19 pandemic made ‘the quality of data available [...] too poor and incomplete to publish’.¹² As of December 2024 the data have still not been released. The Ministry has stated: ‘Currently only incomplete data is available on prisoners working in prison [industries] and as such will not be included in the 2023/24 edition. Work is ongoing to improve data, and this will be published once completed’.¹³
19. The New Futures Network published data on the number and value of commercial contracts for prison labour for the period 2018/19 to 2021/22, but this too has come to a halt.¹⁴ The published figures include only prison industries contracts in public sector prisons, done for private and public sector customers, excluding products made in prison workshops for the Ministry of Defence. Contracts are listed by prison, activity, and value.
20. We published our analysis of the available data on prison industries in July 2024.¹⁵ Key points to emerge were:
 - (i) Prison industries work is unevenly distributed across the prison estate, with higher-value contracts more likely to be found in prisons with substantial workshop space and a relatively stable population; lower-value contracts, representing a smaller investment in the prison and in prisoners, are more typical in parts of the prison estate where prison populations are more transient.
 - (ii) Around four-fifths of the work done under contracts in prison workshops comprises general assembly and packaging tasks, laundry, or recycling. Such tasks are not typically highly skilled, and they may only be economical because of the low wages paid. Their likely post-release benefits are therefore limited: prisoners may acquire work habits, but only to the extent that work conditions resemble those in ‘real’ workplaces in the outside world. They are unlikely to set aside significant savings for release, or to contribute financially to their families, by performing such work
 - (iii) Industries work is also highly concentrated, both geographically and by prison type. Between ten and 15 prisons account for over half the industries work, whether contracts are considered by value or by number. Even where prisons have the same function, prisoners are more likely to find contracts work in some establishments than others.
 - (iv) All prison industries work is done for prison wages, whether for private or public sector contractors. This is contrary to the International Labour Organization’s position that prison labour for non-state entities should be on terms and conditions approximating those offered to free workers, including as to pay.

¹² Ministry of Justice, ‘HMPPS Annual Digest, April 2020 to March 2021’ (Ministry of Justice 2021) Annual digest 18, at: <https://www.gov.uk/government/statistics/hmpps-annual-digest-april-2020-to-march-2021>

¹³ Ministry of Justice, ‘HMPPS Annual Digest, April 2023 to March 2024’ (Ministry of Justice 2024) Annual digest, at: <https://www.gov.uk/government/statistics/hmpps-annual-digest-april-2023-to-march-2024/hmpps-annual-digest-2023-to-2024>

¹⁴ New Futures Network, ‘Publications’, at <https://newfuturesnetwork.gov.uk/publications/>

¹⁵ Jarman, B. and Fair, H. 2024, ‘Working prisoners in the UK: Laws, policies and practical realities’, S. 4.2 at https://www.prisonstudies.org/sites/default/files/resources/downloads/working_prisoners_in_the_uk_final.pdf

Data on work in preparation for release

21. One exception to the lack of statistics on the work of prisoners in this category of activity relates to people who do paid work under the ‘release on temporary licence’ scheme, mainly operated in category D prisons. Data summarising work in this category covers every year since 2011, and figures are updated annually. The number of prisoners doing this kind of work has grown steadily (and at an increasing rate) since 2011, albeit with a drop-off during the pandemic. Because the figures derive from the payroll records, they omit prisoners who work on day release in unpaid or voluntary roles, meaning that the estimates they offer are probably somewhat on the low side: some prisoners may do unpaid work outside prison.
22. Despite the well documented benefits of the ROTL scheme and considerable recent policy focus on expanding it, Table 2 shows that only a tiny proportion of prisoners work outside on licence:

Table 2: Prisoners actively engaged in ‘enhanced wages work’ on day release, 2011/12 to 2022/23¹⁶

Period	Average number of active prisoners (monthly)	Prison population (end of March)	Average active prisoners (as % of prison population)
2011/12	305	86,634	0.4
2012/13	324	84,249	0.4
2013/14	392	85,307	0.5
2014/15	368	85,626	0.4
2015/16	328	85,348	0.4
2016/17	368	85,632	0.4
2017/18	456	83,296	0.5
2018/19	572	82,935	0.7
2019/20	811	80,366	1.0
2020/21	445	78,536	0.6
2021/22	793	79,744	1.0
2022/23	1,088	84,372	1.2
Averages 2011-2023	521	83,504	0.6

¹⁶ Ministry of Justice, ‘HMPPS Annual Digest, April 2022 to March 2023’, Annual digest (London: Ministry of Justice, 27 July 2023), tbl. 5.2, <https://www.gov.uk/government/statistics/hmpps-annual-digest-april-2021-to-march-2022> ; ‘Offender Management Statistics Quarterly: January to March 2023’, GOV.UK, tbl. A1.2, accessed 6 December 2023, <https://www.gov.uk/government/statistics/offender-management-statistics-quarterly-january-to-march-2023> . Figures for 2011/12 cover October to March only.

How does work provision vary for different prisoner cohorts?

Male prisoners (sentenced)

23. Broadly speaking, all prisons provide some form of work opportunities for prisoners in what we define as prison services; and the most common form of work done in prison involves supporting the functioning of the institution, often in 'prison housework' tasks.
24. More specifically, work opportunities are organised differently according to prison function. Men's prisons have more functional specialisms than the female estate. Long-term and high-security prisons hold men serving sentences of four years or more. Some are maximum-security category-A establishments, and the rest are category-B 'training' prisons. Some category-C men's prisons are also designated as 'training' prisons. Finally, some prisons, including all category-D prisons and some category-C establishments, are 'resettlement' prisons, and their designated function is to prepare their residents for release.
25. Recent government policies on prison work have concentrated on resettlement prisons, which often have contracts workshops—spaces in which production equipment can be set up, and in which production work on external contracts can be undertaken. They tend to see the highest concentrations of vocational training schemes. Prisoners in resettlement prisons who are suitably risk-assessed may also leave the prison daily (on 'release on temporary licence' or ROTL), to attend work or training opportunities beyond the prison walls. ROTL schemes are most common in category-D prisons, though some prisoners in category-C resettlement prisons are also, in theory, eligible.
26. At Coldingley, a category-C prison, there are large workspaces that are now little used. In interviews and field observations we noted a tension between *quality* work (which seems hard to provide at scale because of the difficulty in recruiting workshop instructors) and the *quantity* of work (wanting to provide work to larger numbers, because of its importance to prison order, mental health, and morale, but with the work being less useful in skilling men for future employment). One type of work provided in this second category was to prepare airline headphones for reuse, for which prisoners are paid £9 per week. The regime offered at Coldingley resembles that in much of the adult male estate today (excepting the open prisons), in that staff shortages have left many men locked up for 22 hours per day, doing no work at all.
27. At the time of our fieldwork, Coldingley had a total of 512 prisoners, 365 of whom were working across various work areas. We emphasise that this figure is for allocations only, and may therefore greatly exceed the number of prisoners *actively working* in these locations.
28. The largest category of allocations was to 'Industries/production', accounting for 34% of the prison population. This aligns with Coldingley's historical identity as an 'industrial prison'. However, most of these allocated prisoners were in fact seldom required at workshops, which were not operating at anywhere near capacity. On neither of the days we visited the four workshops were more than fifty or so men working across all four and not everyone seemed busy.

29. It is also notable, in this context, that roughly the same proportion of prisoners allocated to industries were categorised as ‘unassigned’ (29%), which includes those who were retired, long-term sick, refusing to work, or in induction.
30. ‘Wing services’ accounted for 10% of allocations, ‘central services’ 11%, vocational courses 9%, and ‘orderlies/mentors/admin support’ 7%. Challenges identified during the fieldwork included:
- staffing issues, particularly with regard to the recruitment of workshop instructors;
 - reduced work opportunities for prisoners;
 - a change in prisoner demographics with an increase in shorter term prisoners with more complex needs;
 - the presence of organised crime, and the drug trade within the prison, impacting the work environment and prisoner engagement; and
 - outdated facilities.
31. Stanford Hill is an open resettlement prison holding category D prisoners who are coming to the end of their sentences. An inspection report has found this prison to be fulfilling its purpose in helping prisoners secure work on release, and achieving low reoffending outcomes.¹⁷ Around a quarter of men engage in work on ROTL for local businesses and are paid the national minimum wage with deductions.
32. At the time of our fieldwork in June 2024, the largest category of allocated work was as orderlies, mentors, and in administrative support roles, accounting for 27% of all allocations. The numbers who had been allocated work in wing and central services (23%) was also strikingly high. Work on temporary release, organised through the prison’s Working Out scheme, was the second-largest category (26%), demonstrating the prison’s strong focus on resettlement and community reintegration. This scheme has been recognised as good practice in its scale and reach across various sectors and its success in helping prisoners to develop good employability skills and secure employment on release.
33. Prison industries and production work accounted for a small proportion of allocations (7%), which reflects Stanford Hill’s status as an open prison focused on external work opportunities. Products from the three prison workshops – print, textiles and woodwork – are sold through commercial outlets or via external contracts. Prison managers had only just started to make qualifications available for prisoners who work in the industries workshops. There appear to be challenges in providing formal qualifications. The print shop does not offer formal qualifications, due to the relatively short time many prisoners spend at Stanford Hill before release or moving to external work placements on ROTL. The focus on preparing prisoners for imminent release via progression towards external work often takes precedence over longer-term qualification programmes.
34. Vocational courses, while not the largest category at 10%, engaged a significant number of prisoners, supporting the prison’s emphasis on skills development for post-release employment. The courses are offered through an unusual partnership with East Kent College,

¹⁷ Report on an unannounced inspection of HMP & YOI Stanford Hill, 19–20 August, 2–5 September 2019, at <https://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2020/01/Stanford-Hill-web-2019.pdf>

which runs bricklaying, plumbing and electrical installation courses under its FE programme, providing prisoners with the chance to learn skills in well-equipped training areas in the Old Mill Complex close to the perimeter and are very popular with the men because of the skills and qualifications provided.

35. Unassigned prisoners at Standford Hill (7%) reflected recent arrivals (induction) or health/age-related factors (retirement or disability).

Female prisoners (sentenced)

36. Because the women's prison estate is smaller overall and more geographically dispersed, and individual establishments are also generally smaller, prisons are less distinct, functionally. Facilities and resources are instead adapted to meet the needs of a more diverse population. Many women's prisons lack substantial workshop space, meaning that contracts workshops and vocational training generally operate on a smaller scale than in the male estate.
37. Drake Hall (where we conducted fieldwork in June 2024) is a closed resettlement prison for women, with a small open unit for women preparing for release. At the time of our fieldwork, Drake Hall had a total of 296 prisoners allocated to jobs across various work areas. Available work included: work and training courses as cycle mechanics, at the Halfords Academy; work in logistics at the DHL warehouse workshop; in the on-site hairdressing salon; and in the prison kitchens and gardens.
38. The largest category of allocation was 'Industries/production', accounting for 35% of the prison's population. Allocations data produce figures that are inevitably higher than numbers of people actually working in industries spaces at any given time. In particular, we were told that the twenty women who were assigned to the Projects Workshop had not actually worked for some months, because of a lack of contracts. This aside, however, the workshops were noticeably busier than at Coldingley, which may suggest the number allocated was closer to the number actively working in those locations.
39. The second highest number of allocations was to central services (23%); followed by wing services (15%), vocational courses such as Halfords (8%), orderlies, mentors, admin support (7%), and work outside the prison (5%).
40. Overall, Drake Hall had a low proportion of unassigned prisoners (6%), suggesting a high level of engagement with work and training programmes and a corresponding drive on the part of managers to prioritise this. The low number of unassigned prisoners suggested a focus on preparation for release and reintegration, though the number active in workshops and in prison services roles can also be read as indicating the need for the prison to engage more prisoners in prison services work supporting its own functions. HMIP has also suggested more use could be made of ROTL and outside work placements.¹⁸
41. In focus group discussions, prisoners had mixed views about the work activities provided. Some of the women questioned the relevance of certain work programmes to their future employment

¹⁸ HMIP Report on an unannounced inspection of HMP/YOI Drake Hall by HM Chief Inspector of Prisons 22 July – 1 August 2024

prospects, and others expressed a desire for more diverse training opportunities, particularly in trades. Others appreciated the chance to gain new skills and qualifications. In interviews with the staff, positive views were expressed about education and skills development at the prison and their impact on the women. While clear efforts have been made to improve employability, challenges remain due to resource constraints and the diverse needs of the prison population.

IPP prisoners

42. When work is allocated to IPP and other indeterminate sentenced prisoners it is less likely to be focused on preparation for release or geared to their post-prison prospects, as release could be many years away. This cohort can therefore end up being allocated work that just keeps them busy. Such work may be repetitive and menial and unlikely to help ameliorate the well documented mental health harms experienced by this group of prisoners due to the nature of the IPP sentence.

Remand prisoners

43. Unlike sentenced prisoners, people on remand are not obliged to engage in purposeful activity but it is considered good practice to provide them with the opportunity to do so. Category B local prisons hold most remand prisoners and, as numerous reports have shown, these prisons struggle more than others to maintain effective regimes and often have very limited workshop spaces. For this reason, remand prisoners tend to have few (or no) opportunities to engage in meaningful work or training activities. The Chief Inspector has described this cohort as being 'last in the pecking order' for the allocation of jobs, education, or training' and 'likely to be spending longer behind their door every day' than sentenced prisoners.¹⁹
44. Numerous HMIP reports have expressed concern at the very poor conditions in local prisons and their impact on unsentenced prisoners. A clearer focus on provision of work, training and other activities to remand prisoners is all the more important now given the increase in average time spent on remand over recent years.

Supporting desistance

45. Desistance research emphasises the need to adopt an individualised approach that builds on people's strengths. The sentence plan should take into consideration skills brought into prison and what prison work can do to develop those skills and prevent their atrophy due to lack of opportunity to practise and build on existing qualifications and experience. The work someone does can be (or become) part of their identity: without it, building a non-criminal identity after release from prison is harder.
46. Several prisoners at all three of the English prisons we visited said that they felt they were not listened to when they told staff their career aspirations and future employment goals. Some felt that they were allocated work that they would not consider doing on the outside. However, others said they were given opportunities they had not considered before and that they were now optimistic about their futures and felt they were less likely to return to criminal activity.

¹⁹ Oral evidence to Justice Committee Inquiry into 'The role of adult custodial remand in the criminal justice system', HC 264 (q. 167) at <https://committees.parliament.uk/oralevidence/11399/pdf/>

Impact of custody on health and wellbeing

47. As we have [highlighted](#) in previous work, prison is both a *site* and a *cause* of ill health. Prison populations are disproportionately drawn from marginalised sections of society, within which mental and physical health problems tend to be more prevalent than in the general population. We also note the ease with which certain kinds of mental health conditions can, in themselves, propel individuals into the criminal justice system and ultimately into custody. It is well documented that being in prison can worsen existing mental and physical health problems and create new ones, due to interlinked problems of poor material conditions, social and psychological stresses, availability of illicit substances, violence, and high levels of suicide and self-harm.
48. In focus group discussions we conducted in three English prisons, we heard many prisoners describe work as beneficial for mental health and wellbeing, principally because it provides a way to stay occupied and avoid being confined to residential units all day. This view was expressed particularly strongly in interviews with women at Drake Hall.

Impact of staffing difficulties on time out of cell for purposeful activity

49. Staffing difficulties have fluctuated since the major budget cuts of the early 2010s, but it has often been challenging for prisons to recruit and retain experienced staff during this time. Staff shortages are more acute in some areas than others, but have a knock-on effect even in better served areas, when staff temporarily relocate to prisons away from their 'home' region to relieve staffing pressure in shortage areas. Staff shortages and inexperience make it more difficult for prisons to operate full regimes while maintaining safe conditions. Activities requiring prisoners to move from residential areas to workplace areas under supervision require adequate staffing to supervise, especially when it is necessary to ensure that some groups of prisoners do not mix.

Prison population, impact on provision

50. Prison population growth in recent years has led to an acute capacity crisis which, in turn, has produced a difficult operating context in which to provide meaningful, individualised work and training opportunities.
51. The drivers of prison population growth include a significant rise in immediate custodial sentences, longer sentences (56% of determinate sentences are now over four years compared to 40% in 2013), an increase in time served by those on sentences without a fixed release date, and increases in the recall to prison of people in the community on release licence. In addition, remand prisoners have made up an increasing share of the prison population in recent years and the steady growth of this section of the population is a major contributing factor to prison overcrowding. As discussed earlier, this has led category C local prisons to struggle with providing opportunities for work and training.

Buildings and physical environment, impact on provision

52. During our research interviews we heard many references to the insufficient use being made of workshops and outside spaces that could increase the amount of physical space available for work and training. For example, there was frustration at Coldingley that substantial amounts of workshop space were being used for storage. Several prisoners who had been held at

Coldingley at least a decade earlier recalled its time as an 'industrial prison' and remembered far more workshop activities being available at the time.

Examples of good practice in prisons

53. At Drake Hall the Halfords Academy was seen by many of those we interviewed as an example of good practice because it offered practical skills, industry-recognised qualifications and a clear pathway to post-prison employment. As one woman said: 'I know when I get outside, I've got a guaranteed job. So I know when I get out, I have a coffee morning, and I will be offered the job on the day.' However, this option is only available to a small number of prisoners (there was capacity for 12 women in the Drake Hall academy).
54. The Clink charity operates within several prisons and simulates a professional working environment, allowing participants to gain skills and qualifications in catering and horticulture. While Drake Hall does not itself have a partnership with the Clink, a number of the women we spoke to had participated in the programme at other prisons and spoke highly of it. 'I worked in the Clink restaurant at Styal. That was boss. I loved that. That never bored me because I'd just sit with all the customers and talk to them for hours.... Yeah, I really enjoyed that... And that was a proper wage.'
55. Stanford Hill's partnership with East Kent College is an excellent example of sustainable collaboration between a further education provider and a prison located near to it. The unique aspect of the partnership is that the prison pays nothing for the courses. Instead, EKC draws down funding for the vocational training from the ordinary adult education budget, and benefits from rent-free use of the Old Mill building, which was renovated for the purpose by the EKC instructors who now work there.
56. Data practices vary across the prison estate in terms of collecting and analysing information on the numbers of people allocated to work and actually working, as well as on post-release outcomes. HMIP has welcomed Drake Hall's data practices, whereby prison managers collect information on the number of prisoners going into training and employment following their release, and use it to evaluate the impact of work and training offered in custody. It has also praised Stanford Hill for the work of managers in evaluating and tailoring the learning, skills and work they offer to ensure that it meets the requirements of local and regional labour markets; and for using this information effectively to commission new provision that enabled prisoners to develop skills (eg. as forklift and dumper truck drivers), which were in demand with employers.

Concluding remarks

57. Provision of work for prisoners has been a significant focus of the government's prison policy since 2018. There has been a concerted effort to create relationships and partnerships which will support prisoners into work after release, and to think about how work at different stages of the sentence might be organised to support this. As part of this, the New Futures Network was mandated to work with businesses and other partners to increase the amount of prison industries work available to prisoners and the uptake of ROTL placements for those close to release.

58. Given this clear policy commitment, it is unfortunate that no official statistics have published since 2020 on prison industries work. It is also regrettable that there have *never* been any statistics on prison services work, despite this appearing to account for the largest proportion of all work by prisoners according to HMIP's survey data. The same lack of data applies to work in preparation for release except in relation to the very small number of prisoners working on paid ROTL placements.
59. In all three prisons where we conducted fieldwork, prison managers routinely recorded the allocation of work across the various types of activity available; and were able to provide figures on the numbers actually working in their allocated roles at any given time. In view of this it should be possible for data to be compiled at HMPPS level and published along with other data on prison performance.
60. Data should also be published on prisoner pay across all types of work, not just ROTL, and should include wages paid for prison services roles.
61. The minimum weekly rate of £4 for prisoners engaged in 'purposeful activity', including work, is less than half the minimum *hourly* wage payable to free workers. This sends a message to working prisoners that contradicts stated policy aims of building self-esteem, inculcating a work ethic, encouraging support for families and saving for release. When extremely low wages are paid for prison industries work, some companies will choose not to engage due to risk of reputational damage from perceived exploitative labour practices. There is a clear case for raising the minimum weekly rate of pay.
62. Much of the policy and management focus of recent years has been on improving work provision for the cohort of prisoners closest to release. Longer serving prisoners (often those on indeterminate sentences) and remand prisoners are often overlooked, especially when – as is common – the amount of work available is scarce. This is detrimental to the health and wellbeing of these groups, and is procedurally unfair in some cases. For example, prisoners preparing for parole applications may be disadvantaged if they have not been given the opportunity to prove their commitment and reliability through work. Remand prisoners who are acquitted at trial will have spent an extended period without work and earnings and may have lost their previous employment by the time of their release. More should be done to provide work opportunities to these other groups of prisoners.
63. It is also notable that open prisons perform markedly better in providing work and training with a view to preparing prisoners for release. In England and Wales, the proportion of prisoners in open conditions is low compared to some other Western European nations: in Finland around a third of all prisoners are in open prisons and the country's reoffending rates are significantly lower than ours.²⁰ This should prompt policy consideration of whether sufficient use is made of open conditions, and whether there are transferrable lessons from the approach taken to work and training in the open estate.

²⁰ Estimate based on 2023 figures for the composition of Finland's prison population, at <https://www.statista.com/statistics/537670/finland-number-of-prisoners-at-the-beginning-of-the-year-by-gender-and-type-of-prison/>

64. Many of the barriers and challenges to providing meaningful work to prisoners would be less intractable without the acute pressures prison population growth has created over recent years. This must be addressed if the levels and standards of work and training are to improve.

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