

# Public Accounts Committee inquiry on prison estate capacity



**Our response**

Submitted January 2025

## About Clinks and this response

Clinks is the national infrastructure charity dedicated to supporting voluntary organisations working directly with people in, and connected to, the criminal justice system across England and Wales. We support, promote, and advocate for our members and the wider voluntary sector. Clinks is at the heart of the voluntary sector. We stand with our members and, together, we strive towards a future where people in the criminal justice system can get the support they need to change their lives for the better.

In this response, we have focussed on the costs of the prison system in England and Wales and some of the challenges it is currently facing. Through that lens, we have set out policy approaches that could seek to balance those challenges with creating better value for money for the Exchequer and achieving more positive outcomes for people across the criminal justice system.

## The Cost of the Prison System and Reoffending

The recent National Audit Office (NAO) report, *Increasing the capacity of the prison estate to meet demand*, highlighted the large capital investments that are currently being made into the prison estate in England and Wales. The initial programme, announced as costing £5.2 billion in 2021, has now been estimated as costing between £9.4 billion and £10.1 billion by completion in 2031.<sup>1</sup>

In addition, a survey by the Ministry of Justice (MoJ) of prison estate conditions found it would cost £1.4 billion to bring the existing estate to a 'fair' condition, where assets are 'sound, operationally safe, and [exhibit] only minor deterioration'. This does not account for the further costs of then maintaining the entirety of the estate at this level. A further £1.4 billion will be required to make all cells Fire Safety Compliant.<sup>2</sup> This would bring total capital expenditure on the prison estate from 2021 to 2031, to between £12.2 billion and £12.9 billion, not accounting for any further capital spending arising across this period.

To be clear, Clinks is not advocating against maintaining the prison estate and ensuring it is both safe and in good condition for people in prison. In fact, poor conditions in prisons limit how effectively people can receive support whilst in custody to transform their lives. However, we do wish to highlight the sheer size of capital investment, compared to other parts of the criminal justice system. In 2023-24, net resource expenditure on probation was approximately £1.5 billion,<sup>3</sup> with the number of people being supervised by the probation service on 31 March 2024 standing at 239,015.<sup>4</sup> So, we are seeing about eight years' worth of the cost of probation being spent on expanding the prison estate by only about 20,000 places and bringing the rest of the existing estate up to a fair condition. Especially noting some of the NAO's findings regarding the unrealistic timelines for the prison expansion programme, the delays seen to the programme, and the costs, both direct and indirect, of those delays, it is concerning that this large amount of money is being spent in such a way as that is not achieving good value for either the Exchequer or people in contact with the criminal justice system.

Imprisonment is already something that has a high cost attached to it. The latest prison performance data for 2022-23, shows that the average cost per prison place was £51,724.<sup>5</sup> Increasing the size of the prison estate will mean there is a continued increase in cost to the Ministry of Justice in each year going forward, to pay for the new places created. The NAO notes that the expansion will mean the prison estate will cost about £670 million more a year to run.<sup>6</sup> This equates to an 18% increase in total spending on prisons, compared with 2023-24, and about the same as the complete increase in resource expenditure that HM Prison and Probation Service (HMPPS) saw in 2023-24, compared to the previous year.

Given the anticipated spending constraints in the forthcoming Spending Review, Clinks is concerned this will represent poor value for money. It risks limiting the MoJ's ability to invest in other parts of the criminal justice system that are more likely to reduce reoffending, keep the public safe, support victims of crime, and lead to overall improved outcomes.

The NAO also notes that the emergency measures that have been taken to manage prison capacity pressures can risk worsening the outcomes for people in prison and reoffending.<sup>7</sup> Research from the Ministry of Justice, published in 2019, estimated that the economic and social costs of reoffending was £18.1 billion in 2017-18 prices.<sup>8</sup> Moreover, the proven reoffending rate has seen a rise over recent quarters, from a low in October to December 2018, with the rate for the most recent cohort, October to December 2022, standing at 26.4%. At the same time, the average number of reoffences per person stands at 4.09 for the October to December 2022 cohort, the highest in the time series.<sup>9</sup>

This highlights the importance of the co-ordinated approach that the NAO sets out in its recommendations.<sup>10</sup> To achieve the best value for money in the prison estate, and the wider criminal justice system, objectives need to be well aligned. However, it is also important to emphasise that the value can only be achieved by taking a balanced approach to the criminal justice system, that sees significant investment made into areas outside of prison to help reduce both reoffending and overall offending. We explore in some more detail in the following section of this response how this can be achieved.

## Justice Reinvestment

The concept of justice reinvestment derives from the theory that the public spending on crime would be more effective if diverted into prevention and public safety.<sup>11</sup> This approach aims to tackle disparities and systemic inequalities, investing in education, physical and mental healthcare, housing, and employment programmes, and offering a more sustainable and equitable solution to crime and punishment in neighbourhoods from which a disproportionate number of people in the justice system – victims and perpetrators – are drawn.

It has been widely used across the US to reduce imprisonment and recidivism, to develop effective interventions and tackle racial disparities. In a slight variation on the original theory, the Justice Reinvestment Initiative (JRI), funded by government and charitable funders, brings together criminal justice, behavioural health, and other resettlement experts to work with states to develop strategies based on data, resources and existing structures. To date, 44 US states **have worked with the JRI**.

An evidence review, published by the Sentencing Council, concluded that prison sentences under 12 months are less effective than other options at reducing reoffending. Moreover, there was a reasonable body of evidence suggesting these sentences can make negative outcomes worse. The review also found current evidence does not suggest increasing the length of immediate prison sentences is an effective way of reducing reoffending, with some research suggesting what happens during a prison sentence may matter more than sentence length. In addition, the evidence did not suggest that more severe sentences, particularly sentences of immediate custody over others, have significant deterrent effects on the person sentenced or the general population.<sup>12</sup>

Nearly six-in-10 women entering prison in 2022 served of less than six months.<sup>13</sup> This is despite the evidence about the ineffectiveness of short sentences. Women's centres provide a good example of how money can be effectively spent to help improve outcomes for women, and the criminal justice system. For instance, research from Women in Prison in 2022 found that the benefits generated by women's centres outweigh their costs. A hypothetical women's centre receiving a £1 million investment in a given year, can support over 650 women and generate £2.75 million in socio-economic benefits. These include savings for public services including healthcare and significant gains for women and their children.<sup>14</sup>

We hear regularly from our members about the challenges that prison overcrowding has on their ability to effectively deliver support to people in prison. These pressures can limit the opportunities for people in prison to be unlocked to access services, attend education, and participate in purposeful activity. As noted by the Sentencing Council review, what happens during someone's prison sentence can be more important with respect to their outcomes. Consequently, it is essential that value for money in terms of capital investment in prisons is also considered through the lens of reducing offending and reoffending, and achieving positive outcomes for people in contact with the criminal justice system.

Therefore, there are significant opportunities for the Ministry of Justice and other government departments to work together to make effective use of public money to support people in contact with the criminal justice system. These would likely reduce the prison population, freeing up more resources for other areas of justice spending. The voluntary sector working in criminal justice has a wide range of expertise in effectively supporting people in prison and on probation, and is a vital partner in helping people to transform their lives.

## Prison Capacity Strategy

In December, the MoJ published its 10-year prison capacity strategy. In this, it noted it was not possible to 'build our way out of this inherited crisis'.<sup>15</sup> This is clear from the projections published in its first annual prison capacity statement. These show that the central forecast for the prison population in November 2032 is that it will reach 104,100. This is against a forecasted supply of 99,000 prison places.<sup>16</sup> As such, it is essential that resources are invested in other policy options.

Clinks recognised the significant opportunity presented by the independent Sentencing Review that was announced last year,<sup>17</sup> and notes the MoJ's ambitions in its 10-year capacity strategy that the recommendations of this Review will help to reduce the overall prison population. Effective and well-designed measures and policy changes that reduced the number of people in prison and the length of time people spent in prison would likely be welcomed by many organisations in the voluntary sector working in criminal justice.

However, changes to sentencing, and other key public services, need to be supported with adequate resources to be able to effectively deliver the objectives of the changes. For instance, many voluntary sector organisations deliver vital services to support people in contact with the criminal justice system through government contracts. But our research found that 61% of organisations delivering services under contract did not achieve cost recovery on at least some of their contracts.<sup>19</sup> This harms the resilience of the voluntary sector, as organisations take steps like subsidise shortfalls with their own reserves, or reducing overhead costs, such as staff, to make ends meet.

In light of this, Clinks particularly wants to highlight to the Committee several parts of the NAO's recommendations.<sup>20</sup> Where recommendations note the importance of working across government and with partner bodies and agencies, Clinks would like to emphasise the importance of voluntary sector partners, in addition to statutory agencies and bodies, as part of this. Moreover, as part of recommendation b, regarding the cost effectiveness of different options to address capacity pressures, and the costs of dealing with capacity pressures in terms of resources and the outcomes of people in prison, Clinks believes it is essential that these consider the cost effectiveness that could be achieved by explore ways of reinvesting resources from large-scale prison building, to evidence-based approaches to reducing the overall prison population. Clinks argues that some of the best value for money can be found by resourcing support for people in contact with the criminal justice system, and at risk of contact, to transform their lives.

## End notes

1. National Audit Office. (2024). *Increasing the capacity of the prison estate to meet demand*. [Online]. London: National Audit Office. Available from: <https://www.nao.org.uk/reports/increasing-the-capacity-of-the-prison-estate-to-meet-demand/> [Accessed 13 January 2025]. (p. 7)
2. Ministry of Justice. (2024). *Prison Estate Conditions Survey Programme Summary Information*. [Online]. London: Ministry of Justice. Available from: <https://www.gov.uk/government/publications/prison-estate-conditions-survey-programme-summary-information> [Accessed 13 January 2025]. (pp. 2-3)
3. HM Prison and Probation Service (2024). *Annual Report and Accounts 2023-24*. [Online]. London: HM Prison and Probation Service. Available from: <https://www.gov.uk/government/publications/hmpps-annual-report-and-accounts-2023-to-24> [Accessed 13 January 2025]. (p. 25)
4. Ministry of Justice. (2024). *Offender management statistics quarterly: January to March 2024*. [Online]. London: Ministry of Justice. Available from: <https://www.gov.uk/government/statistics/offender-management-statistics-quarterly-january-to-march-2024> [Accessed 13 January 2025].
5. Ministry of Justice. (2024). *Prison performance data 2022 to 2023*. [Online]. London: Ministry of Justice. Available from: <https://www.gov.uk/government/publications/prison-performance-data-2022-to-2023> [Accessed 13 January 2025]. (p. 3)
6. National Audit Office. (2024). *Increasing the capacity of the prison estate to meet demand*. [Online]. London: National Audit Office. Available from: <https://www.nao.org.uk/reports/increasing-the-capacity-of-the-prison-estate-to-meet-demand/> [Accessed 13 January 2025]. (p. 43)
7. National Audit Office. (2024). *Increasing the capacity of the prison estate to meet demand*. [Online]. London: National Audit Office. Available from: <https://www.nao.org.uk/reports/increasing-the-capacity-of-the-prison-estate-to-meet-demand/> [Accessed 13 January 2025]. (p. 9)
8. Ministry of Justice. (2019). *Economic and social costs of reoffending*. [Online]. London: Ministry of Justice. Available from: <https://www.gov.uk/government/publications/economic-and-social-costs-of-reoffending> [Accessed 13 January 2025]. (p. 2)
9. Ministry of Justice. (2024). *Proven reoffending statistics: October to December 2022*. London: Ministry of Justice. Available from: <https://www.gov.uk/government/statistics/proven-reoffending-statistics-october-to-december-2022> [Accessed 13 January 2025]. (Proven reoffending tables (3 monthly), October 2022 to December 2022, Table A1)
10. National Audit Office. (2024). *Increasing the capacity of the prison estate to meet demand*. [Online]. London: National Audit Office. Available from: <https://www.nao.org.uk/reports/increasing-the-capacity-of-the-prison-estate-to-meet-demand/> [Accessed 13 January 2025]. (pp. 11-12)
11. Tucker, S. B. and Cadora, E. Justice Reinvestment: to invest in public safety by reallocating justice dollars to refinance education, housing, healthcare, and jobs. *Ideas for an Open Society*, 3(3). Available from: <https://www.opensocietyfoundations.org/publications/ideas-open-society-justice-reinvestment> [Accessed 13 January 2025].
12. Gormley, J., Hamilton, M., and Belton, I. (2022). *The Effectiveness of Sentencing Options on Reoffending*. [Online]. London: Sentencing Council. Available from: <https://www.sentencingcouncil.org.uk/publications/item/the-effectiveness-of-sentencing-options-on-reoffending/> [Accessed 13 January 2025]. (p. 6)

## End notes (cont.)

13. Prison Reform Trust. (2023). *Six in 10 women sent to prison serve sentences of less than six months*. [Online]. London: Prison Reform Trust. Available from: <https://prisonreformtrust.org.uk/six-in-10-women-sent-to-prison-serve-sentences-of-less-than-six-months/#:~:text=Over%20half%20%2858%25%29%20of%20prison%20sentences%20given%20to,published%20today%20by%20the%20Prison%20Reform%20Trust%20reveals>. [Accessed 13 January 2025].
14. Women in Prison. (2022). *The Value of Women's Centres*. [Online]. London: Women in Prison. Available from: <https://womeninprison.org.uk/news/report-launch-the-value-of-womens-centres> [Accessed 13 January 2025].
15. Ministry of Justice. (2024). *10-year Prison Capacity Strategy*. [Online]. London: Ministry of Justice. Available from: <https://www.gov.uk/government/publications/10-year-prison-capacity-strategy> [Accessed 13 January 2025]. (p. 4)
16. Ministry of Justice. (2024). *Annual Statement on Prison Capacity: 2024*. [Online]. London: Ministry of Justice. Available from: <https://www.gov.uk/government/publications/annual-statement-on-prison-capacity-2024> [Accessed 13 January 2025]. (p. 13)
17. Fox, A. (2024). *The Sentencing Review launch. 22 October 2024*. Clinks Blog. [Online]. Available from: <https://clinks.org/community/blog-posts/sentencing-review-launch> [Accessed 13 January 2025].
18. Ministry of Justice. (2024). *10-year Prison Capacity Strategy*. [Online]. London: Ministry of Justice. Available from: <https://www.gov.uk/government/publications/10-year-prison-capacity-strategy> [Accessed 13 January 2025]. Available from: <https://www.gov.uk/government/publications/10-year-prison-capacity-strategy> [Accessed 13 January 2025]. (p. 4)
19. Clinks. (2024). *State of the Sector 2023*. [Online]. Suffolk: Clinks. Available from: <https://clinks.org/state-sector-2023> [Accessed 13 January 2025].
20. National Audit Office. (2024). *Increasing the capacity of the prison estate to meet demand*. [Online]. London: National Audit Office. Available from: <https://www.nao.org.uk/reports/increasing-the-capacity-of-the-prison-estate-to-meet-demand/> [Accessed 13 January 2025]. (pp. 11-12)



## Our vision

Our vision is of a vibrant, independent and resilient voluntary sector that enables people to transform their lives.

## Our mission

To support, represent and advocate for the voluntary sector in criminal justice, enabling it to provide the best possible opportunities for individuals and their families.

## Join Clinks: be heard, informed, and supported

### Are you a voluntary organisation supporting people in the criminal justice system?

Join our network of over 500 members.

Clinks membership offers you:

- A voice to influence change
- Practical assistance to be effective and resilient
- Support from a community of like-minded professionals.

Membership starts at just £80 per year and is free for organisations with little income.

**[www.clinks.org/membership](http://www.clinks.org/membership)**

82A James Carter Road  
Mildenhall  
Suffolk  
IP28 7DE

☎ 020 4502 6774

✉ [info@clinks.org](mailto:info@clinks.org)

🐦 [@Clinks\\_Tweets](https://twitter.com/Clinks_Tweets)

💻 [www.clinks.org](http://www.clinks.org)

**Published by Clinks April 2025**

© Clinks 2025. All rights reserved.

Clinks is a registered charity no. 1074546 and a company limited by guarantee, registered in England and Wales no. 3562176.