

Welsh Affairs Committee

Oral evidence: [Prison provision in Wales](#), HC 742

Tuesday 27 February 2018

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Members present: David TC Davies (Chair); Tonia Antoniazzi; Chris Davies; Geraint Davies; Glyn Davies, Susan Elan Jones; Ben Lake; Anna McMorrin; Liz Saville Roberts.

Questions 1-83

Witnesses

[I:](#) Dr Caroline Hughes, Senior Lecturer, Wrexham Glyndwr University, Dr Alyson Rees, Senior Lecturer, Cardiff University, Dr Robert Jones, Lecturer, University of South Wales and David Fraser, Author and former Senior Probation Officer.

[II:](#) Frances Crook OBE, Chief Executive, Howard League for Penal Reform, Dr Kate Paradine, Chief Executive, Women in Prison and Dr Thomas Guiney, Senior Programme Manager, Prison Reform Trust.

Written evidence from witnesses:

- [Dr Alyson Rees](#)
- [Women in Prison](#)
- [Howard League for Penal Reform](#)

Examination of witnesses

Witnesses: Dr Caroline Hughes, Dr Alyson Rees, Dr Robert Jones and David Fraser.

Chair: Welcome to our diverse range of panellists today. I know some of you may have different views about things but we are looking forward to hearing it all. We are a fairly informal and, I would like to think, a reasonably friendly Committee. Obviously nobody is under any pressure here, so please feel free to elaborate if you want to on anything. If there is anything that you desperately want to say that we don't seem to be asking, then we would be pleased to hear it. The only problem is, because we are a bit short of time—we have another panel coming in afterwards—if the questions and answers seem to be taking a bit too much time I may start to gently signal that we have to move things on.

I want to apologise for the temperature in this room as well—it is completely out of our hands, but I understand that somebody is trying to sort it out—because the heating has gone down. Without further ado, could I ask Glyn Davies to ask our first question?

Q1 **Glyn Davies:** I want to ask a question about the Welsh people who are not in Welsh prisons. It is a longstanding issue that we have talked about a lot. The figure we have seen is that there are 2,000 Welsh prisoners in English prisons. Is this a problem? To what extent is it a problem? Both ways—the same would go for English people in Welsh prisons. Tell us how you evaluate it as a problem, and if there is any evidence that this is in some way damaging, makes reoffending more likely or may be an issue. Any of you can answer this one: it is a bit of an introductory question for all four.

David Fraser: I don't have any evidence that impacts on your question directly. What I do have is a lot of experience of working in prisons. Because of what I have found out, I can tell the panel with a great deal of confidence that it did not make a great deal of difference which prison the offender was in from the point of view, for example, of helping them keep in touch with their family. It was often said that they should be in prison nearer their home, if they were away from home, because that helped them make links with their family again. In reality that argument was over-boiled. If a prisoner was determined to keep in touch with his family, he would do it, no matter where he was imprisoned. So we need have no real fears about them being separated in that way.

Perhaps the other point I could throw in here is that it is not prison, per se, that separates them from their family. Almost all of the prisoners I saw coming in were already well separated from their families. They had separated themselves from their family by their bad behaviour. The prisons I was in would spend a lot of time trying to help them develop contact with their family again.



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From that point of view, I don't think this cross-border issue is the problem that I have heard some make it out to be.

Q2 **Glyn Davies:** Anybody else?

Dr Hughes: I would like to disagree with that.

Glyn Davies: That is good. That is promising.

Dr Hughes: I think it is a significant problem. I have looked at the experience of young people in secure estates and I have done a couple of small research studies in relation to that area. The numbers of young people from Wales in the secure estate are a lot smaller now, because of the diversion of first-time entrants to the criminal justice system. At the moment we are talking about 50 young people from Wales. However, many of them are placed in custodial establishments in England. Of those from North Wales, for example, 72% are placed in Werrington in Staffordshire.

For girls, even though the numbers are a lot smaller, they are even more displaced. There is a secure unit in Hillside, in Neath, but, apart from that, girls will generally be placed a lot further away. This has implications in relation to family visits. We know that linking with families is very important for rehabilitation. It has significance for education. They may be doing their education through the medium of Welsh. It is then difficult to follow the curriculum through the medium of Welsh at a place in England, and there is also evidence of bullying and intimidation, and feeling very different.

Q3 **Glyn Davies:** Is it an England and Wales issue, or is it just being closer to the prison you are in? There are two separate issues, aren't there?

Dr Hughes: Yes, it is both. The geographical distance is problematic. If parents or families are visiting people in prison, they have to pay up front. They can claim back their travel costs, but they have to pay up front. That can be prohibitive for families. Also, the transport issues that we have in Wales can mean that people can have long and difficult journeys.

Dr Jones: There is absolutely no evidence to substantiate any claim that distance does not have an impact. That kind of argument is completely divorced from the reality that distances have a major impact on families. There is the financial impact of having to chase their loved ones around the prison estate of England and Wales. I have some statistics to back this up, as well as a number of interviews with prisoners' families across North Wales, and indeed South Wales, about their experiences of doing this.

Just to give you some kind of illustration, let us take the latest data that has been made available to us by the MoJ for December. In a large number of cases, prisoners from Wales are held many miles away from home. For example, in December 27 prisoners were being held on the



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Isle of Wight. This included prisoners from the following local authority areas: Caerphilly, Cardiff, Ceredigion, Denbighshire, Monmouthshire, Newport, the Rhondda, Swansea, Torfaen and Wrexham. In addition, 12 prisoners—if we think about the other side of the jurisdiction—were being held at HMP Northumberland. This included prisoners from Anglesey, Cardiff, Conwy, Denbighshire, Gwynedd, Swansea and the Vale of Glamorgan, and five from Flintshire.

Now, if we take Swansea as the most extreme example of that, the distance to that prison is 370 miles. The idea that distance is not an impediment to the maintenance of family contact is not borne out by the research, not only in the jurisdiction of England and Wales but in almost all jurisdictions across the world.

Dr Rees: I would agree that distance is everything. I undertook a small study in Eastwood Park Prison, interviewing children about travelling to see their mothers. It is very difficult to imagine what it might be like to be a child whose mother is in prison miles and miles away. They are often living with friends, or possibly with relatives, and siblings are separated. How they manage then to get to see their mothers is huge. Nobody is supporting them and nobody is putting any resources into those young people to support them to see their families.

Chair: I know you want to come back in, Mr Fraser. I will bring Ms Elan Jones in first and you may be able to answer her query.

Q4 **Susan Elan Jones:** Mine is a very quick question on the back of what has been said. I understand totally if we are talking about families as a force for good, stability and all the rest of it. But are there some cases where it might be better for prisoners to be placed quite a long way from where they live, when their main social contacts are people who are not a force for good or people who have led them on. One thing that struck me, from conversations with people that have been in trouble with the law, is that often it is very, very difficult to get away from the ringleaders who are trying to get them into it. Can there ever be a case where it will be better to have someone in a prison far from home?

Chair: You probably agree, Mr Fraser, but can I ask somebody else? Perhaps you could come back with your point afterwards. Would somebody like to respond to that?

Dr Hughes: The Farmer Review last year talked about how links with family are very important for rehabilitation, but that might not necessarily be biological family. That could be an important person in somebody's life. Notwithstanding that, obviously there are negative influences and it is important that people have support to rehabilitate effectively. Often, that important relationship with somebody can help you to desist, and it is about building on those strength-based approaches.

Q5 **Chair:** Could I just add something to that? To pick up on Ms Elan Jones' point, if somebody has been in prison, for example for domestic violence



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or attacking a member of their own family—a child perhaps, or sexual offences—isn't it a good point that perhaps it would be a good idea to have them this far away? I cannot remember a specific instance, but I have had cases where people have said that it plays on their mind that somebody is in prison quite near to the victims. In that instance, surely, you might agree that it would be a good idea to keep people further away?

Dr Hughes: The key thing there would be where people go on release. That would be part of the plan for parole, where the views of the victims would be paramount.

David Fraser: Perhaps I can reiterate that it was my experience that wherever a person was imprisoned—however far away he was from home—that had no impact on his determination or not to keep in touch with his family. That distance made no difference whatsoever. What I heard this gentleman on my right talk about was the difficulties that the prisoner's family may have in coming to see him. That is quite a different point. I stress that, as far as contact with families is concerned, this must come from the prisoner—indeed, the Prison Service spends a lot of time trying to encourage them to do so—and I know of no evidence that shows that that impacts on reoffending rates.

Q6 **Liz Saville Roberts:** In all honesty, I wonder whether the determination on the part of the prisoner to remain in contact with their family is the social issue at question here. I wonder whether the social issue at question is: what is the potential of rehabilitation? I note that I visited HMP Berwyn before it opened. The prison was designed very much to be as welcoming as that environment can be, and to allow prisoners to meet their families to maintain those contacts.

Maintaining family contacts—perhaps with the exception of certain sex offences—is one side. But, in general terms, I am thinking about the correlation between maintaining family contacts and rehabilitation. I also wonder, and I am not sure how much data is available on this, about the relationship between maintaining family contacts and the likelihood of children of offenders—be they mothers or fathers—moving on into crime, or not, as the case may be, from maintaining those family connections. In a societal sense, rehabilitation, and the future of the family and the youngest members of the family, would seem to be the most important issues here.

Dr Rees: In terms of intergenerational patterns, going to prison is really big. It has a huge impact on children and their way forward. In terms of the Welsh Adverse Childhood Experiences Report, whether you have had a parent in prison or not is a big indicator in terms of mental health and whether you will reoffend. However, if you have a good quality relationship—as good as is possible while you are in prison—with your children, that will ameliorate the impact on the children. There are innovative projects that have facilitated that, and we must do everything to ensure that happens.



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Chair: We had better move on to question two, or we will be here a long time.

- Q7 **Tonia Antoniazzi:** We have already touched on this, but do any particular issues arise from sending vulnerable Welsh offenders and young offenders to custodial facilities in England?

Dr Hughes: Again, there is very little research on the area, but some of the studies that have been done do evidence issues of bullying. For example, in a small piece of research I did, somebody gave an example that they had been bullied and they had offended while in prison, which had increased their sentence—that kind of thing. We know that when people are in distress they often converse in their first language, in particular, so if it is a second language that can have an impact as well.

- Q8 **Chair:** Dr Hughes, I am so sorry to interrupt but I have been asked by the technicians if you could just speak a bit louder. I suspect our microphones may be out as well, if the heating is. I apologise for interrupting.

Dr Hughes: Yes, I will do—no problem.

There are the geographical issues in terms of family visits, but there are cases as well in terms of importing and exporting. For example, Parc Prison—Parc YOI in South Wales—at the moment has about 50:50 Welsh young people and English young people. A lot of young people come from the south of England. That can then bring in problems of gang affiliations, which perhaps are not there in Wales, so there can be some impacts in that way.

- Q9 **Tonia Antoniazzi:** I visited Parc as well, and the youth offending unit, and that was the case. What steps can the Youth Justice Boards take to ensure that Welsh young offenders serving their sentences across the border get the support they require? What can the Youth Justice Board do for them?

Dr Hughes: Support with visits is important but, generally, a key point that we are not talking about at the moment is diversion and how appropriate it is for some of those young people to be in custody. What we do know is that young people in custody are now a distilled population of young people. We now imprison fewer young people because we divert a lot more young people, but those who are in custody are experiencing complex needs. They are the most troubled young people. Adverse childhood experience is a big area at the moment in terms of policy and practice.

It is very important that a trauma-informed practice is utilised for these young people. We know that custody is unsafe. We know that 30 young people have died in custody since 1990. Custody should be a last resort. We know that from the UN Convention on the Rights of the Child, but in the small number of cases where you have to have custody there should



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be trauma-informed practice within the custodial establishment and also for young people on release.

- Q10 **Liz Saville Roberts:** The Charlie Taylor Review of the Youth Justice System talked about devolution in youth justice in a slightly different way than we would understand it in this Committee. Nonetheless, it was a recommendation. Bearing in mind that education and health are devolved areas, what would be your response in relation to Wales? Would we be able to offer a more tailored and more effective service if it was devolved in its entirety?

Dr Jones: The answer is that I don't know. Significant achievements have been made in reducing the number of children in custody but, in that little bit that is yet to be devolved, it remains to be seen whether or not that would deliver any real improvement. It depends on what the Welsh Government's policy would be.

Dr Hughes: The Silk Commission has recommended devolution for youth justice. There are differences with Welsh Government policy: for example, the overarching commitment that it is children first and offenders second, and its "extending entitlement" policies. So there are differences in approaches and policies.

- Q11 **Chair:** At what age would you say somebody is a child in the justice system?

Dr Hughes: The age of criminal responsibility is 10 in England and Wales. Of course, the UN Convention on the Rights of the Child recommends that we raise that to 12, although that is not being looked at at the moment.

- Q12 **Chair:** At what age would you say somebody is old enough to go into the prison system itself? At the moment, 18 year-olds are treated differently from 21 year-olds. Do you think that that is the correct approach?

Dr Hughes: What we know about young people in the criminal justice system is that it is as a consequence of the trauma that a lot of them have experienced. A recent Inspectorate of Probation report did an in-depth study of 155 young people and found that more than three out of four of them had experienced trauma in their lives. What we know from that is that the impact of trauma can have an influence on neurological, biological, social and psychological development. Therefore, the developmental age of young people who have experienced trauma is lower than their chronological age, so there are issues of maturity to take on board.

- Q13 **Chris Davies:** I am sorry, Dr Hughes, but you did not answer the Chair's question. He asked you if you thought 12 was the right age and you gave a very good answer, but not necessarily to that question. Is 12 the right age?

Dr Hughes: For criminal responsibility?



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Chris Davies: Yes.

Dr Hughes: The Scandinavians have it at 15. I think 10 is too young.

Chris Davies: I am asking if you think it is the right age or not.

Dr Hughes: I think 10 is far too young.

Q14 **Chris Davies:** If you would rather not answer, fine, but we asked you a question and the whole idea of the panel today is to give us the information we are asking.

Dr Rees: Older than 10.

Q15 **Chris Davies:** There we are. Before I go into my question, Chair, it seems very interesting that we have three academics that have put great study into this subject and are giving one view, and we have another witness with great experience in the subject giving another view. I am trying to work out who we should be listening to on the panel.

Chair: All of the people on the panel.

Liz Saville Roberts: Possibly more than four people.

Dr Hughes: Can I answer the question?

Chair: I think we had better let Mr Davies carry on, otherwise I will be presiding over a debate. Dr Rees?

Dr Rees: I was also a probation officer for 16 years and have worked in a reoffenders' hostel for three years.

Dr Hughes: Likewise, I was a probation officer and a youth justice worker for 10 years before I became an academic.

Chris Davies: Lovely. Do you want to add anything, Dr Jones?

Q16 **Chair:** Also Mr Fraser, just so we all know.

David Fraser: In addition to working with offenders in one way or another for a very long time, I have spent the last 35 years researching criminal justice policy with regard to sentencing policy. I have done that as objectively as I can without any ideological view beforehand.

Q17 **Chris Davies:** Not wishing to leave you out, Dr Jones, do you want to add anything?

Dr Jones: I was a labourer for a plasterer for three months in the summer.

Chris Davies: You are well qualified.

Dr Jones: Yes.

Q18 **Chris Davies:** The Ministry of Justice has told us that it does not collect data on whether prisoners consider themselves Welsh, but only on whether they have a Welsh address. Should the justice system identify



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this in a different way and, if so, which way and why?

Dr Jones: I think the current system works. A number of years ago the Welsh Government had a number of services that were based upon local connection and local address, and so that was quite useful. It almost married up to what the Welsh Government were trying to do. The Transitional Support Scheme was one scheme and there was the Homeless Persons (Priority Need) (Wales) Order as well, in terms of Welsh people and their housing rights, so it married quite nicely.

One of the things that the current system does is to collect that information based on identity. Identity is subject to all kinds of different changes and transitions, and it can be subject to different influences. Home address—indeed, a lot of this will be committal court as well: for those of no fixed abode, a committal court will go down as the address. That is a consistent measure, whereas identity is something that is in a constant state of flux and can change. At the moment, that works, but they should collect both.

Q19 **Chris Davies:** Following on from the identity point—Berwyn Prison, for example, up in North Wales. Would you find that a south Walian would feel very uncomfortable being in a North Wales prison, and vice versa?

Dr Jones: Would I find it—

Chris Davies: What do you think? Have you done any research into that?

Dr Jones: No. We do know that prisoners from South Wales are being held there, and I think that is an area that needs to be researched.

Q20 **Chair:** If we were going to put people close to home, wouldn't it be better for an offender from Newport to be held in a prison in Bristol than in a prison in North Wales?

Dr Jones: Absolutely, in terms of distances, yes, but that is not what is happening at the moment.

Q21 **Chris Davies:** If I can, I would like to finish with my questions—I do apologise—because I have to leave at 3 o'clock. It is nothing to do with you; it is another commitment. Is there any data available to enable us to compare reoffending rates for Welsh men in English prisons with those of Welsh men in Welsh prisons?

Dr Jones: Not that I am aware of.

Liz Saville Roberts: Which we would not have, unless we know where they are from.

Chair: That is a good clear answer from everyone to that question.

Q22 **Liz Saville Roberts:** We know that around 38% or 40% of Welsh prisoners are being held in English prisons—as an aside, there are offenders from Gwynedd, who are Welsh speaking but who are not going



to Berwyn, for no obvious reason that I can work out—so why are so many Welsh offenders being sent out of Wales?

Dr Jones: When they can be held in Wales?

Liz Saville Roberts: Yes.

Dr Jones: It is a very, very good question. There is a real issue there about democratic accountability for those decisions. In terms of getting an answer, if we want answers I think you need to speak to HMPPS and the MoJ. In the MoJ's evidence to this Committee, they cite a number of factors and a number of reasons. Of course, if they are category A they cannot be held in North Wales or any part of Wales. We just don't know. We cannot account for that.

One interesting point—to come back to Glyn Davies' point at the start—is that on average last year, there were 590 prisoners from England held in South Wales, so there are also problems with English prisoners. There is this weird situation where they almost pass on the M4. Again, the debate tends to be about Berwyn, and now there is going to be an increase in prisoners from England in Wales, but don't forget South Wales. The average was 590, but it was 606 at the end of December.

Q23 **Anna McMorris:** Moving on to HMP Berwyn in Wrexham, evidence from the MoJ stated that Berwyn operates according to strategic aims, which they set out, based on a rehabilitative culture. What do you think this means, how is it applied to the design of the prison and how does it differ from other prisons? Do you think it is working?

David Fraser: With regard to rehabilitation in prisons, the evidence is very, very clear. I think it is important for this point to be made so that there are no wrong impressions taken away from this room. The evidence shows that all rehabilitation programmes run in prison—and indeed run in the community for offenders on probation—have failed. They do not work. The evidence could not be clearer. As long ago as 2003-04, the Government investigated the results of a very intensive period of rehabilitation work on a particular kind of programme that they introduced from North America. The Home Office embraced it with enthusiasm, the Probation Service embraced it with enthusiasm and prisons adopted these methods. Basically, they took on board the idea that they could prevent offenders from offending again if they taught them to think correctly. This was broadly based cognitive behavioural therapy stuff.

There were also other programmes that they introduced: sex offender programmes and anger management programmes. All of them—I am not making this up; this is the Government's analysis—have failed. The reconviction rates for them were horrendous. What is amazing is that they still continue with them. The rehabilitation idea is a myth that we will not let go. It does not work.



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What does work to rehabilitate offenders are longer and longer prison sentences. This is where the Government have also kept their heads down. They have the information on this, and I will tell you what it is. The reconviction rates for very long prison sentences plummet. They go right down. But the Government do not want to pursue this, so they keep a blanket of silence over these kinds of things because they want the public to believe that rehabilitation programmes work, when they don't. Therefore, let us not go down that alleyway, because it would be a waste of time.

Dr Rees: I also used to run those programmes many years ago. I think the reason they did not work was because they held individual responsibility for people's situations with the individual, and they were not dealing with any of the structural issues that people are facing. The people that we are talking about live in poverty, have extreme hardship and have often been abused themselves, and an individual cognitive behavioural programme is not going to address that.

David Fraser: Poverty is not a cause of crime either. That has been proven time and time again.

Dr Jones: Again, there is a wealth of evidence that prisons don't rehabilitate. They de-habilitate. That research is everywhere to see.

In terms of the longer sentences, you are absolutely right; the rate of reoffending is a lot lower, but we cannot single that out as something that is purely related to the prison sentence. For example, if somebody was left out in the community for four years or more, they may have turned away from crime anyway. You are absolutely right to point to those figures, but we cannot pinpoint that it was the prison sentence itself or what happened in there that has led to that reduction.

David Fraser: Oh, yes, we can.

Q24 **Chair:** That is recognition that what Mr Fraser is saying is basically correct?

Dr Jones: The statistics are there, absolutely in the bulletins, yes.

Q25 **Anna McMorris:** How can we point to that in prisons, then?

David Fraser: The criminal profiles of people going to prison are all but exactly the same as the criminal profiles of people who get placed on probation, so there is no difference in this respect. The whole idea of offering some kind of rehabilitation therapy to offenders has been going on for 50 or 60 years. I joined the Probation Service believing it would work, and I found out that it didn't.

In 1971, I was the director of a very experimental prison in Inner London. They call them day training centres. We allowed the prisoners to go home at night so they could keep with their families. The programme was stuffed full of all the latest therapy ideas. It was a wonderful



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programme, but it made not one jot of difference to their offending. It was a failure.

Chair: Sorry about this, but we are only about halfway through these questions. Very quickly, Tonia Antoniazzi.

- Q26 **Tonia Antoniazzi:** I just want to make a point about privatisation of the Probation Service. That must have had a massive impact on rehabilitation, because that privatisation has not been dealing with the issue. In fact, the figures for the privatisation of the Probation Service show that it is at a two-tier level, isn't it?

David Fraser: Now, yes.

Tonia Antoniazzi: That is not helping matters either.

David Fraser: No. The results of that have been analysed and the part of the Probation Service that has been put out to private companies—that has been reported on—has not made the slightest bit of difference to their offending.

For those in the other part—the serious end, with the violent offenders, the more dangerous offenders, and so forth, who are now left with the Probation Service—their reconviction rates remain horrendous. None of it works because they are hanging on to the myth that these programmes work. They don't. I have not made it up. That is the Government's own analysis and their own figures. They have the data, but they do nothing about it. This is your chance to change that.

- Q27 **Geraint Davies:** One for Caroline Hughes: my understanding from reading National Audit Office reports, which collate the data on this, is that the variables involved in reoffending are basically family contact. That is linked in to distance from the family when the rehabilitation exercise occurs, because often people going in for the first six months get no remedial activity; it is just for the longer serving prisoners. Finally, if you have spent £30,000 or £40,000 on keeping someone in prison—that is about twice the level you would spend on sending them to Eton—should it not be the case that we invest the money differently to create taxpayers instead of ongoing liabilities, and do not give up just because of the current experiments with inadequate focus or resource? I was not talking to you, David Fraser. I want an answer from Caroline Hughes.

Dr Hughes: There are a few questions in there, if I can remember all of them. One point that I have not mentioned already is the importance of ROTL, or release on temporary licence. Somebody has to be within 60 miles of their home to have release on temporary licence.

We have also not mentioned women's prisons and women prisoners. Of course, we don't have any women's prisons in Wales. Women are around 4% of the prison population anyway, but they are even more widely dispersed than the males are. For young people placed far away—for



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women placed far away—people who are further than 60 miles away cannot have the release on temporary licence.

I agree with you that we spend a lot of time talking about prisons. Shall we build more prisons? Do we need another prison in Wales? Prisons are costly. We know that homelessness is an issue. We know that 40% of rough sleepers have been in prison, for example. Therefore, yes, I agree; I think we should be spending more resources on looking at rehabilitation, on looking at alternative sentences, on looking at intensive fostering for young people, for example, and on looking at rehabilitative provision rather than spending more on custody.

- Q28 **Glyn Davies:** This is a fascinating discussion for me because—I don't know whether I was conned or not—I spent some time with a prison governor. It was in Shrewsbury Prison, which was a really old prison. He was committed to rehabilitation and spent as much money as he could, but he was absolutely about finding somewhere for a released prisoner to live and somewhere for a released prisoner to work, because unless they had a meaningful part of their lives when they went out, the first thing they wanted to do was to reoffend and be back in. I don't know whether I have lived in a dream world since, but Gerry Hendry—he was the governor then in the old prison—was showing me figures and telling me that this system was making a big, big difference. I have never seen any reason to disbelieve that. The life they go out to has to be one that they don't want to get away from immediately. How much truth is in that, or have I been completely misguided here?

Dr Rees: Housing is an absolutely huge problem. The research that I have done has been mainly with women. When a woman goes to prison, she invariably loses her home and then her children will be dispersed. When she is released she cannot get a home with her children because her children are not with her, so she cannot have her children back. It is a vicious circle that keeps on going. We really need to think about the impact of giving people short sentences, in particular, for whether they will ever get a foothold back into the housing market and, indeed, have their children back with them.

- Q29 **Chair:** I have a point, and it is an obvious conundrum; I am not trying to make a political point here. If you want to house people close to home, you have to have more prisons, don't you? Prisons are not generic—there are category A, B, C and D, open prisons, young people's prisons, women's prisons and so on. The more you have, the more likely it is that somebody is going to be close to home. Everyone seems to be agreed that we want people to be as close to home as possible—I think everyone is agreed on that—unless there are reasons not to. But, as a panel, most of you are against building more prisons. Surely the fewer prisons there are, the less likely it is that somebody is going to be—

Dr Rees: We would want to put money into diversionary activities in terms of looking at alternate, innovative and creative—



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Q30 **Chair:** But the ones that do go to prison would be further away from home.

Dr Rees: Potentially, yes, they would be, but I don't think we want to start to invest in building and increasing—

Q31 **Chair:** You would be happy to take as a trade-off people being further from home in return for there being fewer people in prison because more would be out on—

Dr Rees: There will always need to be some people in prison. In my view, they should be in very small units with a lot of community support around them.

Q32 **Liz Saville Roberts:** Glyn tells me he wanted to ask question 5 but he has now passed it over; it fits perfectly in this area. This is where we begin to look at the differences in needs and the appropriate way of dealing with female offenders. One of the things that is very interesting from the evidence we have received so far is that 84% of women who are serving a prison sentence have committed a non-violent offence, which I find absolutely extraordinary. We have women in prison for failing to pay television licences or failing to pay council tax, which is not even a criminal offence. We have a smaller number of female offenders from Wales but, putting aside the small percentage that have committed violent crimes—for whom I would feel that traditional custodial sentences would be more appropriate—the vast majority of female offenders in Wales have committed non-violent offences. We will hear proposals of a separate women's prison, a wing to a male prison or alternative provision. What would be your views on this?

Dr Rees: I would be recommending alternative provision. There is some way to go with sentences and sentencers, in terms of educating sentencers. I think they are particularly punitive in terms of the sentences that they give to women.

Q33 **Chair:** Thank you for that very concise response. Would anyone else like to answer?

Dr Jones: Again, those numbers are so low that I think there is a real momentum there to begin to think about investing in alternatives for women's sentences as well. We are probably looking at the same figures. In 2015, 71% of women from Wales committed to custody were there for six months or less. The number of short-term sentences is astonishing. We should use that momentum of such a low number to think more about alternatives rather than where we build prisons and what they might look like.

David Fraser: May I add a comment from the public's point of view? It is probably worth remembering that the problem of violent offences from women has been increasing over the last 30 years. Almost one quarter of all violent attacks are now committed by women. In 2013, the Home Office reported that a higher proportion of the sentenced female



population were serving prison sentences for violence than for drug offences, which was the case before. Even more significantly, there has been a marked increase in the number of women serving indeterminate prison sentences, known as ISPPs—indeterminate sentences for public protection. Those sentences are given for extremely violent and dangerous offences, and there has been a very marked increase in the numbers of women serving that kind of sentence, so let's not get this problem of TV licences out of proportion.

Dr Hughes: Ms Saville Roberts' figures about the amount of women in prison for non-violent offences are clearly accurate. We also know that women are more likely to be remanded in custody than their male counterparts. We also know that in 2007 Baroness Corston recommended very small and discrete geographically located units for women who receive custodial sentences, but she also advocated that we need to look at alternatives. She made the point that we are vehement about sexual offenders but we are less concerned about victims. We also know that a lot of the women that are in custody have been victims of sexual and domestic abuse.

Q34 Susan Elan Jones: I would like to ask the panel generally about overcrowding, but then I would like to throw in a question of my own as well—a sneaky way to do it on this panel—if the Chair does not mind.

I want to ask you all generally how overcrowding affects efforts to rehabilitate prisoners and reduce offending, and whether you think building new prisons is the best way to reduce prison overcrowding.

I would also like to say that many of us come from communities in Wales—whether it is ex-mining, steelworks or whatever—where there was a strong tradition of manual work. If you talk to some of the older people in that community they will basically say, "Well, in the days when a higher proportion of men worked in these industries, there was far less crime". The reason there was far less crime is because the minute a crime took place, the community often administered justice, and it often did it rather effectively. Do you think that there is any link between the decline of traditional industries and that sense of a close-knit community, and the existence of crime in our society? Do you think there is something that we need to learn from those communities, and how can we replicate it today?

Dr Jones: There is a very clear relationship between deprivation and imprisonment. That is what I would say about those communities. Rather than the work ethic, I would say that the concentrated levels of deprivation are a major problem and how people fall through the safety nets within our society. We have talked about mental health services, education and physical health as well.

To give you an illustration, if you take the top 10 most deprived local authority areas in England and compare them with the top 10 least deprived local authority areas in England, there is a rate of imprisonment



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that is six times greater in those most deprived local authorities. I have the figures for Scotland as well, which I am more than happy to send to the Committee. The relationship is with deprivation rather than perhaps the work ethic within those areas. That would be my point.

Dr Rees: That relationship also exists between deprivation and the number of the children in local authority care. We know that there is a relationship between those in prison and those who have been in local authority care, so it is a cycle, really.

David Fraser: All the objective studies that I am aware of have failed to find a connection between deprivation, poverty and inequality, if I may just throw those things in, and crime. I think there is something to untie here. It is probably true that most offenders come from the poorer sections of our community, but it would be wrong to assume that the conditions that are found in the poorer sections of our community—those social factors, whatever they are—cause crime. In my experience—and I must offer that again—people choose to commit crime of their own free will.

It is also my experience that those who choose to commit crime also choose to live in a particular way. They want instant gratification. They use violence to get their own ends. They do not particularly like going to work. They do not save money. They do not think about the future. These are all life choices that they make, which result in them, on the whole, living in social class 5 conditions. It would be quite wrong to assume that those are the conditions that cause them to commit crime. They are independent.

If I may just throw this in, in 2011 I conducted a very, very big study looking at the relationship between crime, poverty, inequality and the lack of provision of various kinds of services across 27 European countries, including our own. I found that it was the poorer countries, measured by GDP; it was the more unequal countries, measured by the Gini coefficient—which, as everybody accepts, is the way to do it—and it was the countries with less welfare social provision that had less crime. That replicates other studies that have been carried out in the past, which have failed to find a link. It is very, very easy to think rather loosely about crime and poverty, but once you start thinking about it properly you realise that there is no connection. It has never been found in studies and it has not been my experience to be the case either.

Dr Jones: It has.

Q35 **Chair:** Dr Jones disagrees.

Dr Jones: Yes. I have just given an example. There is a huge amount of evidence on how poor communities are over-policed, the way in which those communities experience the criminal justice system and, as we have already talked about, how they are disproportionately victims of the justice system itself. There is a massive amount of evidence on this. I do



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not want to spend too much time on that, and I have just given those examples with the local authority data.

Chair: Perhaps both of you could send your respective studies to us and I will make sure everyone gets to have a look, because I am a bit conscious of time now. May I ask Susan Elan Jones if she wants to ask her surprise question?

Q36 **Susan Elan Jones:** That was my unique question. I would like to draw the panel back to my earlier bit, which seems to have interested the panel less, on any thoughts on overcrowding in prisons. Do you think it affects efforts to rehabilitate prisoners and reduce offending? Do you think building new prisons is the best way to reduce prison overcrowding?

Dr Hughes: I think overcrowding has an impact on people's experiences while they are in custody, in terms of time spent in their cells and having fewer opportunities to be involved in meaningful activity and rehabilitative activity while in custody. The majority of prisoners are in custody for short sentences of under 12 months, which give them fewer opportunities to be involved in meaningful activities. I do feel that if you build prisons, you fill them, in many ways. Being imprisoned does not reduce reoffending. We know that, so I think we need to look at other alternatives.

Q37 **Geraint Davies:** Women only account for 5% of prisoners and a similar level of crime, but they contribute half the money to keep people in prison. Don't you think that that is terribly unfair on female taxpayers—having to pay for violent men, basically—and some of that money should be paid more directly towards women, whether it is for safe houses for domestic violence or special facilities to ensure that women in particular are closer to their children when they are in prison? It is a complete rip-off that women have to pay all this money for violent men. What do you think?

Dr Rees: Women should be supported to remain in the community. I have worked in the domestic violence field quite a lot and women need resources to empower them to overcome that kind of trauma. Absolutely, that money should be put into women's services, but I think it should be within the community and it should be as an alternative to custody.

Chair: We have two more quick questions to go through.

Q38 **Liz Saville Roberts:** My question is to do with prison capacity. Wales's present prison estate, if we were to include Berwyn at full capacity, would be able to house—I make it—5,745 prisoners in Wales. Wales itself has just under 5,000 Welsh-address prisoners, so we are looking at 5,745 versus just under 5,000. If another large, super-sized prison is built, that would have capacity of between 1,000 and 1,600. Even if we were to close the two Victorian prisons down in South Wales, Cardiff and Swansea, there would still be a spare capacity in Wales, looking at our home-grown offenders, of between 450 and 1,050 places in prisons. Why is Wales being targeted for warehouse prisons? Is there a relationship



between cheap labour and cheap land?

Chair: Does anyone want to answer that one—concisely, if possible?

Dr Jones: Concisely, that is a difficult one. I think it relates to the question about overcrowding as well, in that there is this mentality, and the Committee has been at the heart of this in many respects. In 2006, Paul Tidball, the then president of the Prison Governors Association, told this Committee—albeit with different members—that Wales had an opportunity, “to bring initiative and flair into non-custodial” alternatives. Well, here we are, however many years on, still talking about those same problems.

The point is that you cannot build your way out of an overcrowding or prison crisis. We have been trying to do that for a number of years; crucially, so had New York State, so had New Jersey and so had California. Again, I can maybe send this through: have a look at what has been happening in those three states and also have a look at what has happened to their crime rates as people have come out of prison. It has not rocketed, which I think is an important point to make.

There is a real threat and a real danger that Wales will have far more prison places than it needs and—as Caroline has said—the issue with that is that you begin to fill those spaces, if not with prisoners from Wales, as we have already mentioned, with prisoners from England.

Chair: Okay. May I go to Anna McMorris for the last question, as we are a bit behind with time?

Q39 **Anna McMorris:** I want to talk about the split between the Ministry of Justice work and the Welsh Government’s work, and the devolved responsibilities. Welsh Government has responsibility for provision of services, health, education and rehabilitation. The MoJ has responsibility for probation. Isn’t this just leading to a fractured, broken service and settlement? In your opinion, how do you see these two bodies working together—the two issues working together—and what would you say we do to resolve it?

Chair: Is anyone volunteering for this?

David Fraser: Very briefly, many years ago we had a similar set-up in England, if I remember correctly. Probation was split off from prison provision administratively. While it was like that, probation and non-custodial work with prisoners was failing to rehabilitate them and prison was being successful. Then it was changed, and we now have a more integrated system, and the results are still the same. In the English experience, there has been little impact on the result, which is: are we protecting the public from criminals by either locking them up for a very long time or encouraging them to reform? It has not impacted on that.

Q40 **Anna McMorris:** It has never been split in such a way in England as it is between now Wales and England. It is being split between two Administrations.



David Fraser: Yes, I understand. I would venture to suggest that what we have to work on is not the administrative splitting of these responsibilities, but the offenders' determination to go on committing crime or to give it up.

Dr Jones: I see the point. If I am right, it is a constitutional anomaly that you have an England and Wales space but you have two Governments underpinned by their own mandates, policy objectives and aims trying to operate within that same space. It is very, very complex, and it is nice to hear somebody acknowledge that it is there. The discipline of criminology is still catching up with the impact that devolution has had on the system.

We could look in a number of different policy areas and look at the potential tensions and issues. The annual report of Her Majesty's Inspectorate of Prisons has highlighted retoxification and detoxification of substance misuse and drug offenders as a particular problem area. Again, I urge the Committee to look at that. Housing has been another issue where there has been some tension between those two. I think it is very difficult. It relies on clear lines of communication and clear lines of data, and anyone who has to try to get Welsh data will know that that is not particularly the case. It is very, very difficult, but the commission headed up by Lord Thomas is, of course, going to be looking into it in more detail.

Q41 **Anna McMorris:** Dr Hughes, do you want to comment?

Dr Hughes: I do not have anything to add to that.

Chair: We have definitely run over a little bit, so thank you very much to this first panel for staying with us and thanks to the second panel behind you for your forbearance. It is a very interesting issue and we are grateful to all of you for coming along. Thank you.

Examination of witnesses

Witnesses: Frances Crook OBE, Dr Kate Paradine and Dr Thomas Guiney.

Q42 **Chair:** Our second panel is Dr Guiney, Frances Crook, who may be a doctor—I am not sure if she is—and Dr Paradine. Thank you very much for coming along.

Frances Crook: I have an honorary doctorate, but I can't use it.

Chair: Well, it is still a degree. I will ask Tonia Antoniazzi to ask the first question.

Q43 **Tonia Antoniazzi:** This question is to Dr Paradine first. You said that it is important that prisoners serve sentences as close to their home address



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as possible. Why does this matter?

Dr Paradine: In the case of women, getting visits from family and children and staying in touch with your family is key in terms of resettlement after prison and welfare within prisons. Being close to home is really important, which is why we argue in general for women not to be given prison sentences unless it is absolutely necessary, because, of course, women are much more likely to be primary carers and to have other caring responsibilities within the family. We find their problems in prison are often much more complicated than men's.

Q44 **Tonia Antoniazzi:** Is there any link between proximity to home and the likelihood of reoffending? Are there any factors other than the likelihood of reoffending that are worth considering?

Dr Paradine: In terms of being close to home, there are so many issues around resettlement. ROTL, for example, was mentioned earlier. That is release on temporary licence, and the ability to resettle gradually back into the community from a prison sentence. That kind of arrangement is made much more difficult if you are far from home.

Q45 **Ben Lake:** You mentioned the importance of locating female offenders as close as possible to their home. Is there a similar argument to be made for youth offenders? Is there a similar argument to be made that the closer they are to their homes, the better the rehabilitation, and what have you? Is that the same? Would I be right?

Dr Paradine: It is true of everybody.

Frances Crook: Yes, it is true of everybody and it is not just proximity; it is access as well. Obviously, in Wales, if you are in North Wales it is very difficult to get to South Wales.

The issues with children are different because there are 800 or 900 children in custody and there are 4,000 women, so you have a far smaller number. You have a very interesting issue in South Wales where you have the Hillside unit, which I have been to and it is fabulous, and then you have the prison Parc, which I have been to and it is not. There are very, very few children who need to be in custody. We have far too many and we can deal with that, but the issues around proximity, reoffending and family contact I think are writ large for children, where it is not just access but quality of time with families. It is also being able to phone them up. Of course, families cannot phone into prisons; you have to phone out and pay for that. Often in the public sector you have to pay exorbitant rates for that. There are all sorts of issues around family contact, which inhibit proper rehabilitation, proper and safe resettlement, and reduced reoffending on release.

Dr Guiney: I think I would agree with that. From the individual's perspective, clearly being able to maintain housing is a really important element. Issues around family contact and that sense of community are obviously going to be really important. Also, from the practitioner's



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perspective, their local knowledge is going to play an important role in making sure that people are able to access the services that they need to go on that desistance journey. Absolutely, that is a key element here.

Q46 Chair: You probably heard the earlier question, but I sense this conundrum between possibly you not wanting to build more prisons, yet everyone thinking that people should be as close as possible to their home address in most instances. Do you accept that there is a bit of a conundrum here? No?

Frances Crook: No, I do not think there is. I think there is an easy answer to this: do not send so many people to prison in the first place. Wales is a small nation looking to its future; its future will probably be, I imagine, greater devolution of one kind or another, whether that is full justice devolution or not. There is a model you can follow, which is Scotland—another small nation that is taking a different path from England. Particularly on women, I think they are doing some really interesting work. They are restricting the number of places available to the courts to send women to custody. They are closing the big prison, Cornton Vale, where women have died, as they have in other prisons across England. What they are going to do is build small units instead, rather like Jean Corston recommended, which are jointly run by the Prison Service and local authorities. There will be small, local, secure units—five of them around the country. But that is not increasing the number of beds available or the number of places available; it is reducing it. You can solve this problem. It is not a conundrum.

Q47 Chair: When you say “secure unit”, to me a secure unit—

Frances Crook: A prison.

Chair: It is a prison?

Frances Crook: It is run by the Prison Service but in conjunction with the local authority, in order to facilitate that kind of community connection with social services, probation and family.

Q48 Chair: But it is still a prison, and you cannot walk out of it if you want to.

Frances Crook: No.

Q49 Chair: It is basically still a prison then, is it not? It might look different and it might look nicer, but—

Frances Crook: Yes. It will probably feel like a prison.

Dr Guiney: From my perspective—and I only caught the tail end of the last session—there is a sequencing and a prioritisation element to this. We know that women who go to prison are there for non-violent offences on the whole, and we know that they go for a very short period of time. We set that out in the submission we gave to you. There are clear opportunities there to do something about that very short-sentence population and to move them on to community orders. We do a lot of



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work with women in Wales. We ask them about their experiences. The reason they want to be closer to home is all the things we have just talked about: maintaining family relationships. All of that is done best on a community order that allows them to sustain that part of their life while addressing the offending behaviour.

That needs working through. What we would say is that if you build prisons without having put the planning and the strategy in place, you will simply create additional capacity and you will fill it. We will be here in a few years' time talking about whether we need another one. The real opportunity here is to look at each stage of that criminal justice pathway and ask what can be done. If you do that, you can start to deal with the low-end churn part of the population.

Q50 Chair: What percentage of women in prison at the moment do you think should be in prison?

Frances Crook: I am sorry to keep saying you are asking the wrong question. It is the throughput for women, in particular, because so many of them are sent there for such a short amount of time. If you take a snapshot, you do not get the true picture. You have to look at how many women are going through the system. As my colleagues have said, most of them do not need to be there, because they are only there for a short time. Some of them are remanded to custody—the majority of those will not get a prison sentence, so they should not be there in the first place—and then there are a huge number of women who are sent to prison for a very short time, and they should not be there.

Again, Scotland is interesting because they have already virtually abolished the short prison sentence of less than three months for men and women. They are looking to abolish the short prison sentence for less than 12 months for men and women, which would virtually take all women out of the prison system completely. It would leave very, very few, and I think that is a sensible way forward for Wales if it has devolution.

Dr Paradine: I think the point about this new prison idea—I have not heard anyone in favour of it anywhere where I have been, and no one seems to be able to put a case for why it is needed—is that we do not know. At the moment, everything is so skewed in terms of understanding about prison, where it is needed and who it is needed for that we cannot make any decisions about the question that you have asked. We see all the time that women who go to prison come out worse off than when they went in, even if it is just for a small amount of time.

Q51 Chair: I did not ask any questions in the first session, so I am going to have my tuppence worth now, if I may. I have taken a couple of examples of women who have been sentenced to prison. The woman who was jailed for the racist rant on the Tube got 21 weeks in jail. This was a woman who launched an expletive-laden rant at passengers. It was viewed about 200,000 times, it says here. I think it was more than that



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on YouTube. That was very unpleasant, and she was sentenced to 21 weeks in prison. What you are saying is that somebody who does that should not be in prison. That is a short sentence, isn't it?

Dr Paradine: We do not comment on individual cases but, as a whole, looking at the whole picture—

Q52 **Chair:** That would be no prison for that person?

Frances Crook: It does not mean you do not do something. It means you do something. There is a sanction. There is a response. There is a response that hopefully will get her to see the error of her ways. I do not like to comment on individual cases, and you are right on that, but prison creates more crime. It is so damaging and so expensive, and it makes the person who is sent there feel more like a victim than an offender.

Q53 **Chair:** Can I ask you another question, then? You have been very consistent in saying women who commit non-violent offences should not go to prison. There are offences like people who scam money from vulnerable elderly people. Would you count that as a violent offence or not? There is no physical violence involved but it is clearly—

Frances Crook: Those offences are very distressing. Nobody is saying they are not distressing.

Q54 **Chair:** That is not what I am asking, because we all accept that. What I am saying to you is that that is a non-violent offence. Would you send somebody to prison for it?

Frances Crook: I think it depends. I am sorry to equivocate. It depends.

Q55 **Chair:** Okay. Might you send somebody to prison for that?

Frances Crook: It depends whether the person is at the centre of a massive scam, running teams of people doing it and making millions out of it, and there is some coercion involved. That is one extreme.

Q56 **Chair:** You might send somebody to prison, potentially, for a non-violent offence? That is a non-violent offence, but potentially you would—

Frances Crook: If they continue to be dangerous, there would be—

Q57 **Chair:** They are not dangerous in a physical way, are they?

Frances Crook: No, they are not dangerous in a physical way.

Q58 **Chair:** You could see somebody being sent to prison for that?

Frances Crook: Indeed, and sometimes when people have committed a one-off offence of violence, for example, it may not be appropriate to send them to prison. I think it depends. We need a more subtle system that responds to the individual. It is all about public safety and it is all about responding properly. Because they do not go to prison—

Q59 **Chair:** I do understand and agree with you, but the reason I am asking is



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because you have all said, effectively, that there are too many people in prison and that people who are not dangerous should not be sent to prison. What I have just said to you is that I can give you examples of offences that do not involve violence or absolute physical danger to the public where you are basically agreeing that, yes, it is probably right that people could go to prison for those offences.

Frances Crook: Company directors who are massively involved in environmental degradation; there are some examples like that where an example needs to be made. I do not deny that. There are examples like that.

Chair: The worst criminals I have come across are men in suits. I have three in mind, but that is another matter.

Q60 **Liz Saville Roberts:** I do not think this is going to come up otherwise, but I know one thing that we will be dealing with is the concept of a women offenders' wing, potentially with a new prison, such as maybe in the Baglan Moors in Port Talbot. What are your views on women's wings attached to an otherwise large male offender institution?

Dr Guiney: We have just had an inspectorate report for HMP Peterborough, which has men's and women's wings next to each other. That report is extremely clear that there have been negative impacts because the women's prison, which is relatively settled and stable, is next door to a prison that is struggling. The issues that are being faced in that men's prison are cascading through into the women's estate. Shortages of staff have to be addressed. That has an impact. Overcrowding has an impact.

We are really concerned about the idea of co-locating men's and women's prisons together, because I think what you get is staff prioritising and having to deal with the issues they are facing in the men's prison. Because women make up a smaller part of the population, their needs are often missed. That begins to happen. The inspectorate is quite clear that that is a worrying trend and that that should be thought very carefully about. PRT is not in favour of that idea.

Dr Paradine: The experience of the past is that that does not work, and staff that serve men's prisons are different from the ones that are needed for women's.

Can I just respond to the point that hard cases make bad law? We can always come up with examples that contradict the messages that are coming out of data, but the fact is that the 84% that is non-violent crime, most of that is theft and most of that is things like shoplifting—multiple shoplifting, sometimes. The thing that Wales needs to look at is the root causes. I was recently with a prison governor of one of the prisons that a lot of Welsh women end up in. She made the point that prisons are ending up having the people that communities do not want to deal with. Now is the time for Wales to step up as an example and tackle those root causes, because often for those that get to prison it is a chance, in the



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criminal justice system and through diversion and police contact, to tackle those problems at an early stage.

At the moment, we run three women's centres, and I have spoken just in the last week to those running women's services in Wales. The position is appalling. They used to be able to run community sentences so women could do community payback through the women's centres—doing things that are constructive and tackling their problems while looking after their children. This is not possible now because of all the changes. There has been a massive upheaval in what was already there and this is a chance to deal with that.

- Q61 **Liz Saville Roberts:** I have a very quick question. One of the things we have touched upon is this use of prison as a safe place. It is a very dangerous concept, isn't it, because it is getting rid of the problem? For those women's centres in Wales, what would make their position more stable that they would be able to do better work into the future, given that we are in this devolved health and education environment as well?

Dr Paradine: The biggest challenge is core funding. Women's centres pick up money from different pots. They bring a lot of money into the system through health, through all sorts of ways—philanthropists, foundations and trusts—but often they are struggling to exist at their core. We have to have a strategic look at what is in Wales at the moment and what is needed, building on the North Wales Women's Centre—it has had tampon tax funding, which will end soon—and other examples, and really invest. The Prison Reform Trust is looking at Wales and working with you to look at what is needed locally so that you tackle the problem at its root.

- Q62 **Chair:** Can I just pick you up on something? Nobody is ever arrested for one-off offences of shoplifting. This morning I googled, "Woman convicted shoplifting" and the first one that came up was in Newbury today. What she was actually sentenced for was breaching multiple court orders asking her not to go to shops and shoplift. The first one up on Google now I have not read but it is somebody who had 278 previous convictions, which would imply a lot more. The reality is that if you do not put people like that in prison, they will continue to commit shoplifting offences, won't they? You can only say to somebody so many times—278, apparently, in the case of this one on Google now—"Please stop shoplifting". Put people on community sentence or whatever, but if they walk out and they do not talk to their probation officer, as this woman here did not, I believe, then where do you go?

Dr Paradine: I will respond to that, because we see these cases a lot. The vast majority of them have multiple complex needs. There are drugs involved. There is mental health. Putting someone in prison is not stopping multiple shoplifting. What is, though, is dealing with the root causes of the issues that have brought them there in the first place.

- Q63 **Chair:** But what happens if people do not want to have those causes



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dealt with? What happens if they have already been put on to a community sentence of some sort and they are not willing to co-operate with the authorities?

Dr Paradine: The problem we have at the moment is those community sentences—without the support that those women you are talking about need to turn away from that life—are not going to help matters. In particular, we have not spoken about the problems with community sentences designed for men that women are expected to complete. Sometimes childcare needs are not acknowledged. Sometimes one woman is put on a team with lots of men, which causes its own problems when most of the women in prison have experienced domestic abuse and so on.

What we are describing here is a complex picture that points in just one direction: we need to look at community alternatives to custody and not be returning all the time to, “Don’t we need to use prison to punish people, to make them learn?”

Frances Crook: There aren’t any women’s centres in Wales that deliver justice sentences, so you do not have that service available in Wales. There are 50 women’s centres around the country and the Ministry of Justice research shows that they do make a difference, they do help women into desistence and they do reduce reoffending because they have a wraparound service. They deal with, “Let’s get your washing done. Let’s sort your housing out. Let’s sort your domestic violence out”. That is not part of the sentence; that is part of the wraparound service with the other funding that comes from health, philanthropy, local authorities and all sorts, which brings added benefit.

That is not available in Wales. What you have in Wales is a failing community rehabilitation company, which says to people—men and women—“Give us a ring in six weeks, love”. That is not going to change anybody’s life.

I would like to put out there—I have been saying this for the past 10 years and nobody has taken me up on it—that there are no men’s centres anywhere. I would like to see that. Maybe Wales could be the first to set that up with justice money. What is it to be a young man? If you are offending and if you are involved in selling drugs, you could make a lot of money from it. If you are involved in all sorts of bad stuff, how do you get out of that? You could have a short prison sentence. That is not going to help, because that will guarantee that you are unemployable, you are homeless and your family disowns you. What about having men’s centres? Wales, here is a challenge to you to do something different.

Q64 **Geraint Davies:** I want to question all of you on the issue of value for money. Obviously, you have made the case, and I mentioned earlier that it costs £30,000 or £40,000 to have someone in jail. Presumably, I am right to say that it is much more cost-effective to have these wraparound supportive services. Secondly, on reoffending, if we do put women in jail



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for a year or so—whatever it is—are they more likely to reoffend because they have become institutionalised, and is there any information about whether the children are more likely to go into crime because their mother is stuck in prison and separated from them, and this sort of thing? I know these are difficult areas. There is value for money and then there is institutionalism.

Chair: We are going to come on to costs in a minute, so I would not want to kill Liz's question.

Dr Paradine: If I start with the children: in nine out of 10 cases when a woman—a mother—goes to prison, the children will have to leave their own home to either live with relatives or go into care. Regardless of what happens, we know that a parent going to prison has bad impacts, for all the obvious reasons. Yes, there is an issue there. For example, PACT had a visiting mum scheme that was funded to help Welsh women and their children to stay in touch. Funding has finished for that, so ways of helping to ameliorate that are not being put in place. It clearly is an impact and the measures we need to have are not there.

In terms of cost, you can send a woman to prison for a couple of weeks—we know what happens when that happens—or you could give her the services of a women's centre for a year to really tackle the problems that have brought her there, so a community sentence that involves those issues. We have a campaign at the moment to halve the women's prison population from 4,000 to about 2,000 by 2020. You have about 250 Welsh women in prison at the moment, roughly—just under, I think. If you could just stop 100 or so of those women going to prison, you have halved the women's prison population of Welsh women. That is 100 women that you would need to invest in to make sure that they did not go back to a life of crime. Exactly as you have said, the cost-benefit analysis is undeniable. Our women's centre recently had a cost-benefit analysis for Manchester and found that about £4.68 was saved per pound spent, cashable within a year. These savings are almost immediate in terms of what is saved.

Dr Guiney: I will quickly come in on that. One of the really interesting things about this debate is the level of evidence we expect of community options compared with the evidence that we expect for investment in prisons. When you look at the outcomes from prison, particularly for women, we are talking about over 50% who reoffend within one year. We know from various inspectorate reports that there are huge issues around mental health, self-harm, access to children—all of the things that we know are associated with desistance from crime.

We have an MoJ study that has shown that women's centres do reduce offending when compared with those who go to prison, and a really robust academic study by Jolliffe and Hedderman—I can share it with you; it is as robust as I have ever seen—which shows that, if you compare like with like, the outcomes for women on community orders are



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better than those who go to prison. As Kate has already said, it is significantly cheaper.

Yes, there will always be occasions for very serious crime where prison will be appropriate, but if we are talking about value for money for the taxpayer—I know we will come on to that—and getting better outcomes and reducing crime, we need to be looking much more seriously at making really good use of community options. That needs to be part of that, not just at the point of sentence but at the point of arrest as well. We have done some really interesting work with the North Wales Police and Crime Commissioner, looking at the options available to the police when people are first arrested to try to nip that in the bud and stop that cycle there and then. That has to be part of the story at each stage of that criminal justice journey.

Chair: I am tempted to go towards costs now, but perhaps we will try to stick to the script.

Q65 **Susan Elan Jones:** I have a question about disaggregating reoffending rates for English and Welsh prisoners. Is it possible to do this, and by how much, if it is? Should the Ministry of Justice be collecting better data about prisoners who consider themselves Welsh, or is it more complex than that? A lot of communities—it is certainly true in North Wales—lie on the border, and if you are in somewhere like Saltney on the Flintshire border, you have to look around you to see which bit of the border you are on. It is not that obvious. Do you see this as being a particular issue? On a personal level, I think it probably is a good idea to have better statistics on this, but I am not sure it breaks down that neatly.

Dr Guiney: Yes is the simple answer to that. Women are a small minority in the criminal justice system and their needs are often missed anyway. In Wales, I think the issue is even more acute. We need better quality data about the experiences of Welsh women as they go through the criminal justice system. That means better data at each stage and it means better data about reoffending. Let's look at a broader range of outcomes around them getting their life back on track. It should not all just be about reoffending rates.

There are other elements to this. One of the things that I have been really shocked by is how little it is understood in local areas how many women are progressing through the criminal justice system at each stage. If you don't have that knowledge, you cannot begin to do anything about it. We need better accountability and better quality, definitely.

Frances Crook: Looking at men and women—particularly at men—I have not seen evidence or research on men or women who are Welsh in prisons. Of course you have evidence now about reoffending rates with your CRC in Wales, which is not so good; it is really not doing terribly well. That evidence is going to build because, of course, the contract is quite long, and that is feeding the crime problem. Their failure is feeding the crime problem. It is creating more victims. It is costing the taxpayer



a fortune and it is feeding the people into the prison system. What you have is a failure at the entry level—at the CRC level—not just of people entering the system on community sentences, but people coming out of prison who are Welsh, and who are not getting the proper support that they deserve on release from prison. Nor are their victims; of course, there are going to be more victims because of this failure.

You have a body of evidence building up here about a very profound failure in the justice system that is causing a real problem to victims, the taxpayer, offenders, professionals and all the people in Wales.

Chair: Could I go to Liz for the next question? That does bring us on to costs, doesn't it?

Liz Saville Roberts: Does it? Which question am I supposed to be asking?

Chair: I know. It is a really interesting issue and, frankly, we have all jumped in, and rightly so. There is nothing wrong in this at all.

Liz Saville Roberts: I had hoped to be asking question number 12, but I may be completely off.

Chair: Then jump to that one, if you like.

Q66 **Liz Saville Roberts:** I am particularly interested in "Transforming Rehabilitation" and I have done quite a lot of work in looking at Working Links in Wales as well. We are two years into private probation for sentences up to 12 months. We are really in a position where the Government can no longer say, "We are waiting; give it enough time before we can do a meaningful review." Looking into the future, I am particularly interested, Dr Guiney, that you mentioned the Police and Crime Commissioner for North Wales. Is there another role? Should we be looking at, say, devolution to PCCs? Should we be looking at somebody else dealing with this sort of work now? It is an open question as to how this should be handled, given that we are seeing an increasing amount of evidence for the ineffectuality of the private companies.

Dr Paradine: We absolutely think that in terms of Wales and localism, it is the perfect place to look at what Manchester is doing and to go right down the road of devolution. There are incentives for communities like Wales to deal with the issues that are bringing people to prison. At the moment, the system is a disincentive to dealing with those problems because of central charging for prison. It does not cost local areas anything when someone goes to prison, so it makes perfect sense to quickly move towards devolution of budgets. I know PRT and the Howard League have spoken about this issue and might have more to say.

Frances Crook: I absolutely agree with that. Manchester is a very interesting example, but it is not devolution to politicians. I would be extremely concerned to see a PCC putting in their manifesto, "Vote for me, because I am going to make sure that when I manage criminals they will all be wearing jumpsuits with arrows on." With the American political



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version of running community sentences—much as I love all politicians, obviously, and those present would not do anything so crass—you can imagine the kinds of debate in some areas that might evolve. I think the politicisation of sentences would be very wrong. However, the Manchester model is not like that. Although the mayor has some say, it is different.

Q67 Liz Saville Roberts: How does the Manchester model avoid the political attraction or the risk of over-politicisation? How does Manchester succeed in avoiding that?

Dr Paradine: Talking about women and women's organisations, the providers of services have a really strong role in the direction of travel in terms of investment. There has been joint investment with the local authority, police and CRCs as well. As Frances says, it has been bottom up, with people joining together at a community level, looking at what works and investing in a network of women's centres. Instead of letting people just do their own thing in different local areas nearby, it has involved building from the bottom up a network of services, and investing in research and really strong partnerships in terms of commissioning services.

Frances Crook: Including the police, which is very important.

Dr Guiney: In a sense, seeing is believing. Greater Manchester has made a huge stride forward, and I think the number of women going into prison is down about 27%. Most of those were serving very short sentences. As you have already heard, it is about bringing all of those agencies together, from police all the way through to probation, to think differently and to make sure that at each stage of that criminal justice pathway there are diversionary options and community-based alternatives to the march towards custody for women.

Where I slightly disagree is that I think that the PCCs and other local bodies do have a big role to play. In a sense, Wales has a level of asymmetric devolution. We know that health, adult social care and children's services do sit at a local level. Those organisations have a role to play in preventing people from coming into the criminal justice system and in addressing issues. Most issues are not addressed by criminal justice agencies. They are done locally by families and by support from other social services.

The work we have done in North Wales has been really interesting, first in raising awareness of a group that is often missed in local planning—they simply do not have a hold on the numbers—but also realising the opportunities for local partnership working in that they are nearly always working with the same families. Women are obviously often primary carers, and a number of times police may be called out and dealing regularly with a household in which if you can start to address those issues and nip them in the bud, you can lower demand for the criminal justice system. A really key message we are trying to get across is that local areas, if they are accountable, can influence demand for criminal



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justice services. That is where the money and investment should be made.

Q68 Anna McMorris: I asked the first panel this, so I would like to ask you. We have the UK and Welsh Governments working together on a lot of these issues, with health and education devolved to the Welsh Government and criminal justice and probation services the responsibility of the UK Government. How do you feel they are working together? From what you are saying, how do we in Wales deliver a good service? Frankly, what you are describing is a broken, fractured settlement. It sounds like the answer would be to devolve this to Welsh Government, have everything working together and resolve some of these issues, looking at community-based resolutions for some of this.

Frances Crook: I would like to see that and the Howard League would like to see that. We do support the idea of localism. The TR transformation is a very good example of how a so-called “English” solution—and I put that in inverted commas—was foisted on Wales and has failed. Interestingly, the breakup of probation and the TR were not imposed on Scotland because it has a devolved justice system.

If you had a devolved justice system, it would give you an opportunity to do things quite differently; to be much more imaginative and creative; to fund the women’s centres across the north, south, mid, east and west; to look at men’s centres; to look at doing things differently, to invest in your front-line policing so you push people out of the system; to support the work of the PCCs and the health service; and to draw all that—health and social services—in together.

You would need fewer prisons. You could divert a lot of that money. Prisons are very expensive. Berwyn is very expensive and it is going to cost a lot of money for 100 years. That money—those millions every year that are poured into that prison—could instead be diverted into local communities. Ask the people of Wrexham what they would really like that money spent on. As we have seen in Port Talbot, they are not so keen on the local prison. They would like that money instead. Ask the people of Wales what they want.

Dr Guiney: If I may come in on that, I think there is a longer-term question here. I know Lord Thomas’s inquiry will look at this. In the here and now we welcome this inquiry because I think there is a really important window of opportunity here. The MoJ is due to publish a long-touted women offenders’ strategy at some point. It was in the Conservative manifesto. We hope to see that by the summer, and it is absolutely imperative that that has some clear lines around Wales and around Welsh women.

We have always in the past had an unusual document. It was a joint Welsh Government and NOMS in Wales document—the reoffending strategy—which is at the moment being renewed. I would like to think



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that that will be published soon. I have seen drafts of that and it does include women offenders as a priority.

There is a really important piece of work to be done, at the very least, to try to marry up and make sure that there is coherence between what those two documents are saying, so that they reinforce the types of activities that we have been describing to you today around police triage, community options and what goes on in terms of resettlement. That is something that does need to be done, because those strategies will set the terms both at a national and at a Welsh level for the next few years. That is an important area to look at.

Anna McMorris: Although I would say that Welsh is national.

Dr Guiney: Well, yes; I beg your pardon.

Dr Paradine: There is a sense of helplessness and paralysis around this issue at the moment. The privatisation of the Probation Service is interesting. At the time it was said that it could not be done. It was done, and look what has happened. Now is the time to say, "We can do things quickly if we want to". The MoJ wanted to close Holloway Prison, and it was closed very, very quickly. We can do things in the system that feel quite radical.

In terms of TR and CRCs, if you look at the workloads that those probation officers in the CRCs have, it is ludicrous to expect them to do anything other than to meet someone every few weeks and that is it.

There is a question about PBR—payment by results. Since the vast majority of the CRCs will not be getting any payment by results, we are interested in knowing where that pot of money goes now. For example, if Working Links are not going to be getting paid for achieving great things in Wales, I would be interested to ask you whether you know what will happen to that money. I am sure that money could be put to very good use in investing in what does work, rather than in what we now know does not.

Chair: Excellent. Thank you for that. That is a good suggestion.

Q69 **Geraint Davies:** The last question was around what lessons the UK can learn from prison provision in other countries. You have mentioned Scotland already. I know there has been some work in Norway, and some people talk about how in Holland the prison population is very low for other reasons. I don't know whether there is anything that is of value to the Committee that we can draw from.

Frances Crook: There are lessons from other countries. If you look at other small countries, Finland is particularly interesting because Finland was part of the Soviet Bloc, or the Soviet area of influence. It had a prison population that reflected that: very high use of prison, and a very punitive system. When the wall came down, Finland had a conversation with itself about "What kind of nation do we want to be when we grow



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up?" It decided that it wanted to be Scandinavian. As part of that transition to being Scandinavian, it decided to reduce its use of prison, and its prison population plummeted. It was a conscious decision. Finland reformed sentencing and changed its prison system. It invested in community and health services, social services, housing and things like that. That worked. That worked very well.

Norway is often held up as wonderful. It is very good at PR. I have been to Bastoy, which is an island. I know you have islands off Wales, but I would not say that they should be penal colonies. Of course, Norway's prison population has gone up very high and it is renting cells in Holland, which has a lower use of prison. It is interesting. Maybe you should rent cells to England and you could make some money out of it. That is not a serious suggestion.

There are other countries—small nations—where you can see that changes have been made. As Kate said, it is possible to change things. We do not have to keep making the same mistakes again and again and again. We can do things better and differently, and I think devolution and localism gives you that opportunity.

Q70 **Chair:** Okay. Anyone else on Norway, Finland, Holland or Scotland?

Dr Paradine: I was just going to say that other countries look to us in terms of the Corston report and the model of women's centre provision. I did see an e-mail recently from Canada where they were saying that they were following our example. I did laugh a rather bitter laugh about how ironic that is, given that the Corston model is rapidly in decline. If we do not step in now, we are in danger of you trying to do something in even a few months or a year's time, and starting from a much lower base than you do now because you have lost women's centres.

Dr Guiney: I bow to expertise internationally. The point I would re-emphasise is just how much local variation there is, even within England and Wales, within the same legal and statutory framework. We have already talked about Greater Manchester. There are others. West Midlands does some good work as well, as do areas of Wales in terms of different power. There are hugely interesting areas of work looking at police triage and diversion, as well as interesting options around resettlement. Yes, it is always good to look internationally, but clearly the jurisdictions are different.

Even within our own jurisdiction there is some interesting and exciting local practice that is well worth looking at, which may be much easier to transplant and replicate in a Welsh setting. We are worried about the rises we have seen in North Wales and the stubbornness of the figures in South Wales. They could learn a lot from these areas and the way to reinvest some of that money.

Q71 **Geraint Davies:** You have made a case for why fewer women should be in prison and there should be alternatives to prison. But for the category



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of women who are in prison—for argument's sake, the small number of women who should be in prison from Wales, should there be a facility for them in Wales, and what should it be? Should there be a women's prison in Wales, or where should these women be?

Dr Paradine: Baroness Corston set out a clear blueprint for what should happen, but only after the prison population for women is at a reasonable level. Until that happens, we cannot really understand what would be needed. The small community-based custodial unit, along the model of reintegration into communities, would be for women who were probably going to be sentenced for relatively long periods, not for the short sentences that we are seeing. What we need we don't know at the moment, but that would deal with the closeness to home issue.

Can I refer back to your question to the earlier panel where you said about women paying for men's crime? The fact is that the vast majority of crime is committed by men, and it is ironic that we are talking about the small number of women who do not get the services they need. If you bring domestic violence into that, and the impact on women's refuges and what is happening at the moment in Wales and England in terms of withdrawing resources, all of these things are connected together. They all lead to a prison population that is not needed and could be easily reduced.

Q72 **Geraint Davies:** You agree that women's tax contribution, which is currently going towards the prison system generally, should be focused more clearly on the needs of women in an appropriate, sympathetic way. Is that right?

Frances Crook: I have been thinking about that question. I don't think you can hypothecate it. Of course, women would also have an incentive to pay to sort men out, so there is that. The trouble is they are not being sorted out in prison; they are being damaged more.

Our prisons are bloodbaths. Look at the self-injury rate, particularly among women but among men and young men, too. The death rate is a scandal. It is a national shame. It is not just suicides. It is people dying from preventable diseases in prison because the prisons are so ghastly, so disgusting and so sordid. Our prisons are shameful, and Berwyn is going to be shameful very soon. It was built in a way that even Victorians would not build. These are small cells that people have to share. There are two plinths that they sleep on. There is a toilet at the end of it, so you have to defecate in front of someone there. There is a shower, but it is not even hidden. Apparently, they are going to have curtains. There were none when I saw them. People are showering in front of each other. They are defecating in front of each other, with windows where there is no ventilation and with under-floor heating they cannot control. They are going to be hot. They are going to be smelly and sordid. It was built for 2,100 men but it only has activity spaces for 1,000. More than 1,000 men are going to be stuck in those cells, probably, 23 hours a day when it is



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full. It is going to be the most disgusting prison in Europe within 10 years.

Q73 **Chair:** Can I bring you back slightly?

Frances Crook: I just thought I would get that in whether I was asked it or not.

Chair: You did very well.

Geraint Davies: Is that the one we are visiting? We are going to Berwyn, are we?

Chair: We are going to Berwyn.

Geraint Davies: I am going to go now. I was not going to bother.

Chair: We will certainly be asking questions about that.

Frances Crook: Go in the cell and shut the door behind you.

Q74 **Chair:** We will do that. You have said that instead of spending money building new prisons, the Government should be investing money in other areas. Let me just pick you up a little bit on this. I have been doing a little bit of research because I quite often see the average cost place for a prison being cited as in the £40,000 and £50,000 region, but that obviously takes account of category A prisons. If you get the figures from the Government, the cost per place in a category C prison, according to this, is about £19,748. It does not take into account some of the other outside-of-prison stuff.

Let us take a category B, which is higher. The cost per prisoner is almost exactly £25,000 at the moment. Most people who go into prison go into category B or C. They are not high security. It is going to cost £25,000 per head. I would put it to you that it is not that expensive because most people who go into prison are already on benefits anyway, so they could be taking from the state £20,000 in benefits. I am not saying this is right or wrong or making a moral point, but the vast majority of people who go into prison are not working. When somebody goes into prison, the net cost to the taxpayer, if they are claiming the full panoply, would possibly be as little as £5,000.

To take a Home Office research study—this is the most recent one I could find but it is quite old, actually: “The Economic and Social Cost of Crime”, which is Home Office Research Study 217 online—if you look at, say, the average cost of a burglary, they have put it at £2,300. I don’t know exactly how they come by this, but it has been researched. Most burglaries do not result in a conviction; less than one in 10 does. It is reasonable to assume that anyone who is convicted and goes to prison for a burglary will, on average, have committed many more burglaries than just one. In effect, if you are putting somebody in prison who is committing multiple offences, chances are it is going to be cheaper for the state to have them in a prison than to have them outside on a community sentence possibly committing more offences, isn’t it, if you



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look at things overall?

Frances Crook: I have been burgled three times, when my child was quite young as well, which was very distressing. I have been assaulted in the street, punched in the face and had my handbag stolen. I have had my bag stolen on the Tube and I have been sexually assaulted, so I have been a victim of crime. I live in London. None of those people were ever caught. That is the issue. That is what you need to sort out. That is the problem.

Chair: I do agree with you, but I am more focusing on the costs.

Frances Crook: Yes, I understand the costs.

Q75 **Chair:** I am taking my career in my hands, Ms Crook, because you are a master of dealing with committees—

Frances Crook: Mistress, please.

Chair: I gently put it to you that you make the point that prisons are expensive but, if you look at the cost of committing crime and the fact that most male prisoners are on benefits, they are not actually expensive, are they?

Frances Crook: But you don't take into account the costs of the court case and everything else as well, so it is very expensive. It is a very expensive system.

Chair: Absolutely, yes.

Frances Crook: Chair, my question to you is: what is the point? You are putting somebody in prison for a year, or possibly five years, and they come out and they are pretty guaranteed to do it again. You have a period of interruption, except you are not interrupting; you are displacing, because prisons are awash with crime too. It is very expensive. You are putting staff through that. Staff are suffering assaults. There are drug gangs being run in prisons. You are not solving the problem; you are displacing it.

Q76 **Chair:** I do not disagree with what you say. I am just focusing narrowly on the cost, because the cost is being used as an excuse not to build prisons. As you have just said, if you take account of the cost of somebody going into a court, the costs of investigating an offence, which somebody here has put at £2,300 for a burglary—I don't know how they have done that, but they have—and you look at the number of burglaries that the average prisoner who goes into prison for a burglary will have committed, in a narrow sense it is cheaper in monetary terms to keep them in prison, rather than have them out committing those crimes.

Frances Crook: But my argument is not to expand the system. My argument is the capital cost, the expansion of the system and the commitment to an expanded system for the next century. I think that is the cost argument.



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Dr Paradine: Can I respond, in particular, in terms of women?

Q77 **Chair:** Of course. I have put it clearly enough, though, haven't I? You can see where I am coming from with the question?

Frances Crook: Yes, I understand the question.

Dr Paradine: When you look at the cost of prisons, first, in terms of women's prisons and the cost of those, there are all sorts of different figures but the official figures for women are much higher.

Chair: Yes, they are.

Dr Paradine: When you look at the impact in terms of foster care and the dislocation of children, and if you look at the actual cost of imprisoning the women, it is off the scale in terms of the figures that you are speaking about. If we are going to look seriously at costs, let's look at the whole picture.

The other issue is homelessness. If you were not homeless before you go into prison, you are often homeless afterwards. It creates a vicious circle, the costs of which are incredible to the state. In terms of people being on benefits in prison, we need to be looking at poverty and it driving criminality. We need to look at the root causes of that if we are going to look seriously at costs.

Dr Guiney: If I may just come in on that, it is probably not quite correct to compare a prison sentence with nothing. That individual may well be under an extremely robust suspended sentence, or they may be on a community order. We have set out the costs associated with that to this Committee. They are significantly less in terms of how much they cost to deliver, but I take your point—

Q78 **Chair:** That buttresses my point because, if they are on a community sentence that is not costing that much, they will still be in the community claiming benefits. There will still be a net cost to the Government, and they may well be committing offences while on a community sentence.

Dr Guiney: Whether that adds up to the cost of a prison sentence, I very much doubt.

Q79 **Chair:** But I don't. We have already agreed—Ms Crook is an expert—that the figure I am quoting is a Government figure, and the figure for a category C prison is about £25,000 a year. There is no doubt about that. The cost of somebody being on benefits could easily be £20,000 a year, so the net cost to the taxpayer is £5,000. If somebody is a regular burglar and the cost of each burglary is £2,300—that is also a Home Office figure and not unreasonable—and they are committing 10 for each one they are caught for, it is not unreasonable to say that, just in narrow cost terms, taking account the very good point that you just made about foster caring in the case of women. That is looking at the costs in total. That is what I am trying to do here, certainly in the case of men.



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Frances Crook: If it costs the same, why don't you do something that has a better outcome?

Dr Paradine: It all comes down to what you think about prison and what it brings.

Q80 **Chair:** That is a different matter, but I just wanted to focus on the costs.

Frances Crook: Just in cost terms, spend your money wisely.

Geraint Davies: What is the best strategy to create taxpayers? Because obviously your presumption was that people will always be poor and will remain poor forever, and that they will do crime because of that.

Chair: This isn't a debate for us, Mr Davies. Susan Elan Jones has the final question.

Q81 **Susan Elan Jones:** Mine is for Frances Crook. I remember you coming up to North Wales. I was not at the meeting, but I read a report of it and I was annoyed. It was the Institute of Welsh Affairs. You have been talking a lot today about localism and devolution and how we need to respect local opinion. I have checked the report. Something else, I think, was said in a local report, and I will come back to that. Just going from what was quoted from that meeting at the time, you said, "This is going to be a disaster for Wrexham". This is HMP Berwyn. You said that the money—I think the figure was around £250 million to £300 million—could have better spent elsewhere in the region. I think there was a comment in a newspaper report—I could not find it subsequently, so I will leave you off on that one—where you criticised the local council for backing the scheme to go ahead locally. You have said you respect localism and you have said you respect devolution, leaving aside how people feel in the abstract on prisons and things. I can understand that, but surely the local council was making a choice based on economic reality.

I will give you one example from that, in terms of jobs. There are many examples of people who have found jobs either at the prison or through linked organisations. I will give you one example: Novus Cambria, which is a combination of the local college, Coleg Cambria, with a Manchester-based college. I think that contract comes to £18.7 million. Leaving aside the idea of how people feel about prisons, or big prisons, and the like, can you not see why the local council did what they did? Can you not see, as well, that there are some real economic benefits to the area?

Frances Crook: I have to declare an interest here. I was a local councillor for eight years, so I can say, hand on heart, that local councils sometimes get things wrong. The point I was trying to make was about an idea that has come out of America, which does sometimes have some good ideas—not often, but sometimes. That is a concept called justice reinvestment, where they take from the justice system and reinvest the money in local communities, so you give to local people.

Port Talbot is a very good example of where local people are taking a bit of control. I know there is an interesting collection of views there. What



they want is this: if there is going to be £250 million and £20 million or £30 million a year for the next century, why don't you invest that? Berwyn was an industrial site, wasn't it? You could have had investment in industry, in sports facilities, in schools or in other sorts of employment. You could have had a capital spend of £250 million given to the local authority to say, "Here, what would you like to do? Talk to local people. Invest in all sorts of different things" and then you could have another £20 million or £30 million every year on top of that to prevent crime and make local areas safer. That is what the local authority should have done. I think they were wrong to support it.

- Q82 **Susan Elan Jones:** That would be a lovely choice. If someone was to say to me or a local councillor or whatever, "The Government down in Westminster wants to give you £250 million and you can spend it as you want to", most of us would just lick our lips and think of all sorts of things—

Frances Crook: That is what I am suggesting.

Susan Elan Jones: —that would probably not involve anything to do with criminal justice, if we are honest about it. I could think of a whole range of things, but this was not the choice given to the local authority. By definition, it was always going to involve dealing with prisoners, not all of whom came from the local authority. What I am saying is that money would not be going to Coleg Cambria if there were just prisoners from Wrexham county borough there.

Frances Crook: But this is what is happening.

- Q83 **Susan Elan Jones:** We can have the general debate about prisons and how we feel, and whether systems work or not—I am quite happy with that one and I have been very, very interested in a lot of the things you have said earlier on—but surely you must accept that the local council, in bidding with other councils, knew what they were up against. Had they not gone for that choice and had they not made that bid, those contracts would not be with Coleg Cambria. That is realpolitik, isn't it? That is the dilemma.

Frances Crook: But this is what is happening in America, which I think is so interesting.

Susan Elan Jones: Yes, it is interesting.

Frances Crook: They have identified what they call million-dollar blocks in particular areas where all the prisoners come from. They have worked out how much that would cost and are trying to reinvest the money. They are cancelling prison building and investing in the community. It is happening in some areas in Texas and in other places that are not known for radical reform programmes. It is happening; it can be done. There is no reason why Wales could not have grasped that and fought for it. Maybe they would not have won, but at least there would have been some integrity in fighting for it.



Chair: Mr Guiney, you want to come in?

Dr Guiney: All I was going to add into that—Kate referenced it earlier—is that there is a real issue with prisons being a free good that can be used by other services who are not then accountable for them. If they had to make that choice about how the money was spent, as you said, I am not sure they would look to spend it on prisons.

It was interesting last week to see the North Wales Police and Crime Commissioner talk about the costs associated with police cars coming out to Berwyn. That is an additional cost on his budget. I am sure there were many more in terms of ambulances and health particularly, so we need to have a more rounded discussion about the ongoing cost to the community of having a prison there. That prison is a community facility. It should be accountable to the local community, if it is going to be there, and those costs should be balanced in that respect. That needs to be looked at.

Q84 **Susan Elan Jones:** The North Wales Police and Crime Commissioner has never supported the idea in the abstract either, so I don't think he is a good measure, but it is just the point. Those councillors, I think with integrity, had that decision to make. Having made that decision, we have seen money come to the area. We have seen jobs come to the area. As I say, I would separate that from the general discussion that we have been having, but I do think that it was a difficult decision to make and had it not gone there, it would have gone somewhere else.

Dr Paradine: Now there is another chance like that, which is the potential for a women's prison. Our position—across the board, everyone we know who works in the sector and knows anything about this area says this—is that it would be absolutely ludicrous to consider that at this point in time. We know that there was a budget set aside for the building of women's prisons, and we don't know anything about the plans for that budget.

If there are plans still on the table for a Welsh women's prison, we say you can create jobs in women's services. You can create jobs in community services and opportunities for ROTL—release on temporary licence—for those women who are in prison in England. There can be, I think, quickly and brilliantly, an example of what England should be doing. This is the point. That is why this Committee is so important; if the Welsh Government go the wrong way on this, we begin to lose hope about the ability to achieve the change that is needed for women offenders.

Chair: On that note, we have definitely run out of time. I would like to thank you all very much, especially as I am afraid we could not supply you with central heating today. Thanks, everyone.