

Written evidence submitted by His Majesty's Inspectorate of Prisons (CCB0008)

Introduction

1. We welcome the opportunity to submit a response to the Public Accounts Committee inquiry about Crown Court backlogs.
2. His Majesty's Inspectorate of Prisons (HMI Prisons) is an independent inspectorate whose duties are primarily set out in section 5A of the Prison Act 1952. We provide scrutiny of the conditions for and treatment of prisoners and other detainees and report publicly on our findings.
3. Inspectors at HMI Prisons assess the treatment of and conditions for detainees in a range of settings, including in court custody and prisons. Evidence from both of these different areas of inspection are drawn upon in our response.

High numbers of prisoners on remand or unsentenced, with implications for Category B prisons

4. Official statistics indicate that there were 17,662 people on remand (as at 30 September 2024), with a 'record high' reported for August 2024.¹ Both the 'untried' population and the 'convicted sentenced' population continue to grow in number and overall the remand population accounts for 20% of those in prison.² Important information including the length of time that people are remanded for and the extent to which that is changing are not in the public domain.
5. The impact of growing numbers on remand has been most noticeable in Category B reception prisons, where remanded prisoners are held. At HMP Wandsworth for example, 61% of prisoners were convicted unsentenced or on remand when we inspected earlier this year.³ In 2018 its convicted unsentenced and remand population was less than half this figure, at 28%.⁴ At the start of 2023 over 60% of prisoners at HMP Birmingham were unsentenced or on remand, up from about a third since the last inspection.⁵ These are significant increases and a considerable change for prison leaders to respond to. At HMP Belmarsh around 40% had been remanded in custody until their cases were dealt with in court and just under another 20% were waiting to be sentenced.⁶
6. The resultant population pressures do not alone preclude poor outcomes, but they make it much harder to deliver improvements in key areas such as purposeful activity, work to reduce reoffending and providing decent living conditions.
7. At HMP Wandsworth, for example, the population had expanded to over 1,500 prisoners, up from 1,364 at the time of the previous inspection. It was one of the most crowded prisons in the country, with around 80% of prisoners sharing

¹ [Offender management statistics quarterly: April to June 2024 - GOV.UK](#)

² [Offender management statistics quarterly: April to June 2024 - GOV.UK](#)

³ [HMP Wandsworth – HM Inspectorate of Prisons](#)

⁴ [Wandsworth – HM Inspectorate of Prisons](#)

⁵ [HMP Birmingham – HM Inspectorate of Prisons](#)

⁶ [HMP Belmarsh – HM Inspectorate of Prisons](#)

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cramped cells designed for one. We reported negatively on the early days in custody, a critical time from a safety perspective. Reception processes had deteriorated given the large daily throughput of prisoners coming in and out of the establishment and prisoners who arrived in crisis did not have access to a Listener (prisoners trained by the Samaritans to provide confidential emotional support to fellow prisoners) while in reception. There were only sufficient full-time and part-time activity spaces for around half the prison population, with even these spaces not being fully utilised. Resettlement and pre-release support for unsentenced prisoners was poor. For example, only 11% of the prisoners leaving the establishment in the last 12 months had been released into settled and sustainable accommodation.⁷

8. Remand populations tend to be more transient, place the greatest pressure on prison reception and induction units, and take up very substantial amounts of staff time. They can therefore pose challenges to the stability of a jail. At HMP Manchester we reported on very poor time out of cell, in part due to curtailments that were as a result of more staff needing to escort remanded men to court and back.⁸

Uneven support for remand prisoners

9. General support and release planning for the record number of prisoners on remand is vital but we often find gaps in provision, despite this group being known to be riskier, for example having a higher rate of self-inflicted deaths than sentenced prisoners.
10. In our 2023-24 Annual Report we were concerned to report that this group had significantly more negative experiences in several key areas. In adult men's prisons, 52% reported struggling to contact their family when they first arrived at the prison, compared with 25% of sentenced prisoners. They also reported more problems, less time out of cell and challenges accessing healthcare.⁹
11. The increasing average length of time an individual is spending remanded in custody means that many require additional support. This group are at greater risk of losing their accommodation, employment and custody of their children (especially women).
12. At HMP Hull despite some good help available with finance, benefit and debt, we found that progress to help the remand population with housing had been far too slow.¹⁰ At HMP Belmarsh there was no help for remanded prisoners when they arrived in custody to resolve issues with their community accommodation, employment, caring responsibilities or finances, and there was no bail information officer.¹¹

Issues with individuals being released on "time served"

⁷ [HMP Wandsworth – HM Inspectorate of Prisons](#)

⁸ [HMP Manchester Urgent Notification – HM Inspectorate of Prisons](#)

⁹ [HM Chief Inspector of Prisons for England and Wales Annual Report 2023-24](#)

¹⁰ [HMP Hull – HM Inspectorate of Prisons](#)

¹¹ [HMP Belmarsh – HM Inspectorate of Prisons](#)

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13. In some cases the length of time an individual has spent in prison on remand means that they are released from court having already served the length of their sentence while remanded. At HMIP, we expect prisoners released from court following a period on remand to have access to information and advice, but the reality is that information, advice and support to achieve a successful release are rarely available and what is provided isn't sufficient.
14. In our 2023-24 Annual Report we highlighted that some arrangements for releasing prisoners from court custody continued to cause concern. Processes were often rushed, with some detainees not given the means to get home. People were rarely given any information about local support agencies or charities that could help them, including detainees who were released from court homeless.¹² There is also concern that victims are not always aware of their perpetrator being released.
15. Those released from prison ought, where applicable, to have their risk of serious harm to others managed via a range of public protection measures. However, those released from court and without a sentence plan, are unlikely to have accessed rehabilitative interventions or resettlement support. Despite efforts from PECS senior managers, we also continue to find too many people waiting for excessive periods for their sending establishment to authorise their release, denying them their freedom.¹³

I hope that you find this information useful. Should you require anything further, please do not hesitate to contact me.

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¹² [HM Chief Inspector of Prisons for England and Wales Annual Report 2023-24](#)

¹³ [HM Chief Inspector of Prisons for England and Wales Annual Report 2023-24](#)