Executive Summary

1. Prisons remain a vital part of our justice system. Housing offenders and delivering essential services that enable offenders to become law-abiding citizens on release from prison. Our prisons are currently undergoing a significant programme of reform that will deliver thousands more modern prison places, provide safe and secure custody for prisoners, as well as facilitate rehabilitation and ultimately reduce reoffending numbers.

2. In 2015 the then Minister for Prisons, Andrew Selous wrote to the Welsh Affairs Select Committee following its Fourth Report of Session 2014–15: *Prisons in Wales and the treatment of Welsh offenders*. This responded to the Committee’s report which made a number of recommendations regarding the adequacy of custodial arrangements and the treatment of Welsh offenders. He set out the government’s commitment to ensure that overcrowding in Welsh prisons is better managed and prisons embed a culture of safety, security and decency within their operational capacity, and this will ensure that there are sufficient safe, decent and secure places for offenders.

3. Of the 5 prisons in Wales (HMP Berwyn, HMP Cardiff, HMP Parc, HMP Swansea, and HMP Usk/Prescoed), all facilities are for male prisoners. But we are responding by significant investment in the prison safety and reform programme, which was set out in the November 2016 Prison Safety and Reform White Paper. This will enhance arrangements for female prisoners and ultimately address their specific needs. It supports a number of dedicated projects run in collaboration with prisons accommodating women prisoners from Wales and offer tailored models that aid resettlement in the community on release from prison. HMPPS Wales is also leading, jointly with Welsh Government and criminal justice partners, a ‘Framework to Support Positive Change for those at Risk of Offending in Wales’. The framework focuses on seven priority groups including women, and looks to improve services for those at risk of entering or those already in the criminal justice system.

4. HMPPS try, as far as possible and practicable, to place women prisoners from Wales in prisons where there are Welsh speaking staff. Majority of them are held in HMP Eastwood Park and HMP Styal, where there are Welsh speaking staff and information is also available in Welsh. The Ministry of Justice has adopted the principle that in the conduct of public business and the administration of justice in Wales, it treats English and Welsh languages on a basis of equality, so far as is both appropriate in the circumstances and reasonably practicable.

5. HMP Berwyn was successfully opened in March 2017 with capacity for over 2,100 prison places. At an annual cost of £14,000 per inmate it is the cheapest to run in the UK. It also provides in-room technology for each inmate and Welsh language facilities. The development focused on introducing a rehabilitative culture to turn lives around. This is a significant achievement in prison provision in Wales complemented by a significant uplift in staffing levels, providing higher levels of supervision and support for the men at Berwyn. There are plans, subject to planning approvals, to build another prison at Port Talbot in Wales – further increasing the number of prison places in Wales with concomitant economic benefits for local communities. By building a modern prison in South Wales this will mean that, alongside HMP Berwyn and HMP Parc (which was opened in 1997), Wales will be at the forefront of estate modernisation.
6. HMPPS in Wales works closely with the Welsh Government on delivery of services in Wales. The appointment of the Executive Director, HM Prison and Probation Service in Wales as the MoJ single point of contact and the establishment of the Justice in Wales Strategy Group to ensure engagement across the Ministry of Justice and Welsh Government on key areas of policy development and reform is enabling an even greater focus on jointly delivering the best possible outcomes across the justice system for Wales. The creation of the Youth Custody Service also demonstrates our increased focus on improving performance in frontline service delivery in a way that would also meet the distinctive needs of Wales and, crucially, our commitment to reforming offenders, keeping the public safe and reducing reoffending.

Current prison population in Wales

7. HMPPS is committed to ensure that approved operational capacity is not normally exceeded. Governing Governors, Controllers and Directors of private prisons are responsible for monitoring this.

8. The operational capacity of a prison is the total number of prisoners that an establishment can hold taking into account control, security and the proper operation of the planned regime. It is determined by Prison Group Directors on the basis of operational judgement and experience.

9. Below is an extract from December 2017 Prison Population Bulletin. For detailed explanations on the terms please refer to the most recent report. For more information regarding ‘crowded’ accommodation please refer to the annual HMPPS digest.

When HMP Berwyn has completed its ramp up it will have an operational capacity of 2,106

<table>
<thead>
<tr>
<th>Prison</th>
<th>Baseline Certified Normal Accommodation (CNA)</th>
<th>In use CNA</th>
<th>Operational Capacity</th>
<th>Population</th>
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<tr>
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<td>503</td>
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<td>Usk/Prescoed</td>
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<tr>
<td>Berwyn</td>
<td>890</td>
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<td>887</td>
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10. HMPPS in Wales works closely with the Population Management Team to make sure, as far as possible, Welsh prisoners are held in Welsh prisons. This is supported by the Through the Gate model, a tailor-made package of support which starts with the individual on entry to custody and is continued in the last 12 weeks before release. This service aims to make sure that offenders are located as close to home as possible. All prisons in Wales, apart from HMP Usk, are resettlement prisons.

Young Offenders

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11. In April 2017 the Justice Secretary announced the creation of the Youth Custody Service (YCS) as a distinct arm of HMPPS. The is to create a stronger, clearer governance for the youth justice system by bringing accountability for delivery (Youth Custody Service) and commissioning (MoJ) within closer and more direct Ministerial oversight.

12. The YCS now has responsibility for all aspects of work with young people under the age of 18 both in Youth Offender Institutions (YOIs) and in Secure Training Centers (STCs) across England and Wales. It also has oversight of eight Secure Children’s Homes (SCH) in which we contract justice beds via local authorities.

13. The YCS Placement Team place young people in establishments that can most effectively manage their individual needs. Whilst every effort is made to place young people as close to home as possible, other factors are taken into account in placement decisions, such as age, suitability of regime, risk of self-harm and the risk of harm to others. Wherever possible, the YCS will seek to place a young person from Wales into a Welsh secure establishment, or an establishment in England which has a specialist provision for Welsh children and young people.

14. In relation to young males suitable for YOI accommodation, they will, where appropriate, be placed at HMP YOI Werrington. Werrington YOI is the catchment establishment for young people from North Wales and has been proactive in terms of forging links with our external Partners.

15. HMP Parc in Wales was the first prison to be built in the UK under the Private Finance Initiative (PFI). It opened in November 1997 and is operated by G4S. The contract has five years left to run. The young person element of the contract is currently £4.6m per year. It houses the John Charles unit which provides accommodation for 15 to 18 year-olds.

16. Although not exclusively for Welsh young people as its catchment area includes the South West of England, the unit was originally commissioned by the Youth Justice Board (YJB) to hold young people from Wales to reduce distance from home.

17. Her Majesty’s Inspectorate of Prisons (HMIP) inspected Parc’s John Charles unit from 16 – 26 October 2017. The report will be published shortly.

18. Parc is also operating initiatives that have informed approaches that will be rolled out at other sites through the custody reform programme. These include a child centred approach; upskilled workforce; Incentive and Earnings Privilege schemes that are based on rewards rather than sanctions; developing education curriculum tailored for the needs of young people including core requirements of English/Maths and ICT and a broad range of vocational options. The views of young offenders are taken into account through various forms such as effective student councils.

Women Prisoners from Wales

19. We aim to divert women from custody where possible which is why we are reviewing the female estate as part of the wider Women’s Offending Strategy; ensuring that women are held in the right conditions for their needs.
20. Women prisoners have specific and often complex needs which may include mental health, substance misuse, lack of suitable accommodation and abusive relationships; and that a distinct and tailored approach is needed to improve outcomes for women in the Criminal Justice System.

21. In November 2016 the Prison Safety and Reform White Paper included a commitment to publish a strategy for female offenders which covered both community and custodial provisions for women and work is ongoing on this strategy. However, HMPPS in Wales lead the Integrated Offender Management (IOM) Cymru Women’s Pathfinder Project in partnership with Welsh Government, Home Office and Police and Crime Commissioners. The scheme diverts women from the Criminal Justice System and provides them with holistic support. To date, over 1300 women have been successfully diverted away from the CJS across Wales since the commencement of the first pilot in Cardiff in July 2014.

22. A formal evaluation of the Women’s Pathfinder Diversion Scheme was undertaken by the University of South Wales which evidenced a 26% reduction in re-offending and found that the overall re-arrest rate in the pilot sites was around half that in the comparison sites (17.8% compared with 35%). Across all the Women’s Pathfinder pilot sites in Wales there are around 600 women engaged at any one time on an ongoing basis, including Diversion Scheme cases, statutory NPS and CRC cases and other non-statutory cases and voluntary referrals. The pathfinder has secured an additional £10,000 grant from the Ministry of Justice to develop a Wales system approach to women.

23. The majority of Welsh female offenders are held in HMP/YOI Eastwood Park (Gloucestershire) and HMP/YOI Styal (Cheshire) with a further ten prisons holding the remaining population. Both these prisons employ Welsh speaking members of staff and provide written information in Welsh. HMPPS has built strong links with these two prisons and established a number of initiatives, including Through the Gate services that provide resettlement support to Welsh prisoners.

Welsh Language

24. HMPPS has adopted the principle that in the conduct of public business and the administration of justice in Wales, it will treat the English and Welsh languages on a basis of equality. A Welsh Language Scheme sets out how the Agency gives effect to that principle when providing services to the public in Wales. The Scheme was prepared in accordance with Section 21 of the Welsh Language Act 1993 and was approved by the Welsh Language Commissioner in 2013. In HMPPS in Wales:

- All signage in HMPPS public-facing areas is bilingual, and Welsh and English content are of equal prominence and format.
- All prisons have in-room or landing technology which is fully accessible in Welsh
- Prison libraries and visitor centres provide a good supply of Welsh materials
- Most prisons in Wales have established Welsh societies and groups to meet the needs of their population
- There is a network of Welsh language and equality leads across HMPPS in place who help drive delivery

Placement of prisoners from Wales (cross border)
25. Each month, we publish population and capacity figures for each prison in England and Wales, including the: Certified Normal Accommodation (CNA) (which is the uncrowded capacity of a prison); Operational Capacity (which is the total number of prisoners that an establishment can hold taking into account control, security and the proper operation of the planned regime); and population. As at 29 December 2017, (the report date for the monthly bulletin in December 2017) the total prison population in England and Wales stood at 84,746.

26. As at 29 December 2017, the number of offenders, with a Welsh origin address, held in England and Wales stood at 4,996. Of these, 4,739 were male and 2,942 were held at sites in Wales. The number of offenders, with an English origin address, held in Wales stood at 1,250. There is no prison in Wales which holds female offenders.

27. The percentage of offenders, with a Welsh origin address, held in Wales at 31 December 2016 stood at 59%. Since HMP Berwyn opened in February 2017 the percentage of offenders, with a Welsh origin address, held in Wales has increased and at 31 December 2017, the percentage had risen to 62%. For offenders from North Wales, this percentage increase was far more substantial. At 31 December 2016, the percentage of offenders, with a North Wales origin address, held in Welsh establishments stood at 2%. At 31 December 2017, this had increased to 20%. We expect these figures will increase as HMP Berwyn has not yet reached full capacity. For offenders with a South Wales origin address held in Welsh establishments, the percentage has remained unchanged from 31 December 2016 to 31 December 2017. Building a new prison in South Wales would support placing offenders with a South Wales origin address in Wales, similarly to the effect HMP Berwyn has had on North Wales.

28. Individual allocation decisions are complex and require full consideration of prisoners’ needs and circumstances. Allocations decisions include consideration of closeness to home and family, alongside other factors such as time left to serve, categorisation, and the identified offending behaviour requirements set out in the prisoner’s sentence plan. On occasion the offence itself may dictate location, with (for example) prisoners convicted of sexual offenders mainly being held in prisons where they can receive specialist treatment.

29. Closeness to home is particularly important for those on short sentences or nearing release, where they need to (re)build family ties, secure housing and health services and look for work. These prisoners are prioritised for local (to home) prisons. To support this, HMPPS will ensure that most offenders are returned to their home community rehabilitation company or probation area for release, where they are managed by either a contracted-out or state provider or the

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4 It is important to stress that it is not possible to infer from an address in Wales that an individual considers themselves Welsh. HM Prison and Probation Service (HMPPS) cannot identify English and Welsh prisoners. UK nationals have a nationality of British. Therefore, the data above is not necessarily representative of those who identify as English or Welsh. The results are sorted by origin address (home address on reception into custody) and not nationality. English, Welsh, Scottish and Northern Irish are not captured on our database as separate nationalities. Around 97% of prisoners have an origin location - i.e. addresses that are recorded in our central IT system. If no address is given, an offender’s committal court address is used as a proxy for the area in which they are resident. Those with no recorded origin are typically foreign nationals or those recently received into custody. No address has been recorded and no court information is available for around 3% of all offenders. If there are any, these figures will have been excluded from the data.

The numerical information provided has been drawn from administrative IT systems, which as with any large scale recording system are subject to possible error with data entry and processing.
National Probation Service (depending on level of risk). This will provide continuity of service for offenders in custody and the community. In line with this, if a prisoner needs to resettle in Wales we will ensure they are allocated to a Welsh prison at the appropriate point in their sentence.

HMP Berwyn

30. Earlier last year the new prison development at HMP Berwyn, which opened in February 2017, was awarded the Royal Institution of Chartered Surveyors (RICS) Regional Community Benefit award for significant ongoing benefits brought to the local community. The development at Wrexham committed to using local goods, services and labour during the building phase, which has significantly boosted the local economy, improved local transport and provided local jobs and education opportunities, providing over 2,000 days of educational work experience to local young people. Around £83 million was spent with Small and Medium-sized Enterprises (SMEs), in addition to the £38.2 million spent with local businesses.

31. HMP Berwyn is a Category B/C prison. The prison is currently ramping up its population as part of its safe mobilisation. When the prison is at capacity it will be able to hold 2,106 men. HMP Berwyn has been designed around three core strategic priorities: Rehabilitative Culture, Making Big feel Small and Principle of Normality. The principles have been embedded into the design, operating model and every decision and action the prison and staff make.

32. The rehabilitative culture will enable the men to make meaningful change and provides them with a sense of future and hope to support reform. Each house in the prison has its own unique identity to support the core values of the prison. And each house is divided into eight communities to make big feel even smaller. The principle of normality means that in every way possible HMP Berwyn makes the environment, regime and rules as similar as is safe and practical to do so to those in free society.

33. The HMP Berwyn Offender Management unit continues to work with prisons in England across the North West, Midlands and Population Management Unit to ensure that Welsh prisoners who meet the criteria are transferred to HMP Berwyn. This is particularly important for men with an address in North Wales.

34. Based on the success of HMP Berwyn, where we are estimating the creation of up to 1,000 jobs, the new prison at Port Talbot could generate up to 500 jobs and contribute £11m a year to the regional economy. Of HMP Berwyn’s staff, 66% come from the local area.

Potential for new prisons in Wales

35. On 22 March 2017 the Government announced plans, subject to planning approvals, value for money and affordability, to build four modern prisons, including at Port Talbot, South Wales.

36. The modern prisons will have a capacity of between 1,000 and 1,600 places and will be built to Category C conditions. Due to the size and shape of the site, we estimate that the capacity of the prison at Port Talbot will be towards the lower end of this scale and anticipate it will hold mainly Welsh prisoners from South Wales.
37. The Ministry of Justice undertook a review of 19 potential sites across South Wales put forward by the Welsh Government. This review identified Port Talbot as the preferred site for a Category C prison due to factors including physical characteristics, geographical location, capacity of local infrastructure and environmental considerations. We are aware of a covenant on the Baglan site and will continue to work with the Welsh government to address any issues arising from the covenant as part of the acquisition of the site.

38. A new prison has the potential to bring significant benefits to the area. The Ministry of Justice is committed to maximising socio-economic benefits in the local community and would look to use local labour and engage businesses from Port Talbot and the surrounding area where possible.

February 2017