

# Prison Governors Association

Representing: The Prison Governors of the United Kingdom since 1987



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## By Email

25 June 2024

Dear Leaders,

### Prison Overcrowding

The **Prison Governors' Association**<sup>i</sup> (PGA) represents over 95% of all Prison Governors, Operational Managers and Senior Operational Managers working in His Majesty's Prisons and Probation Service (HMPPS) in England and Wales. In addition, our membership extends across all countries of the United Kingdom, and we have significant numbers of members both within Northern Ireland and Scotland. Our members are the experts in running prisons, their voice and our message, if ignored, will be at your peril.

This letter is addressed to the leaders of the seven main political parties, as we believe you will have collective responsibility to address our concerns once a new government is formed. It is written openly as it is right that the public hears our concerns and understands fully the significance of any new government not taking the immediate action required to address the points we raise. We believe that it is a matter of days before prisons run out of space, and that the entire Criminal Justice System (CJS) stands on the precipice of failure. Within a matter of weeks, it will put the public at risk.

The conditions inside of our prisons are far from ideal; in addition to the lack of space, the lack of sustained long-term investment in the prison system is making it an impossible task to make effective use of the time a person spends in custody. This is wasteful in a financial way, but more importantly it is wasteful on a human level. Equally as important is the lack of investment in the built environment, which sees many prisons struggling to provide even the most basic of living and working conditions. Every day our members, those they lead and those who live within prisons are being placed at risk of serious harm due to these chronic overcrowded conditions.

As available spaces continue to dwindle away, prisons will be forced to close their gates to new prisoners, they will be full within a matter of days. Procrastination is not an option; this is happening now, and action is overdue. Eventually, there will be nowhere for detained prisoners

to go. Any cell spaces in courts and police custody suites will soon fill up, and as this space runs out any hope in reducing the court backlog will also dwindle away, and the CJS will no longer be able to operate. There must be significant space within prisons to make a range of improvements across the CJS; there is no space, and the public is being put at risk. People who would normally be imprisoned will be left on the streets until space becomes available, this is how bad the situation will become.

The current early release scheme (ECSL 70) has been exhausted in England and Wales, and this scheme has just been approved in Scotland as part of emergency measures. We do not believe there are any other temporary solutions available to delay the inevitable. The inability of the state to detain those who should be in prison will mean that our streets will be less safe; the public will be put at risk as the police will be forced to prioritise who to arrest and detain, and the court backlog will continue to rise. As the CJS eventually fails, more and more people who should be in prison will remain on the streets, the public will be at risk when this happens.

It has been well-documented that because of successive government policies there has been a near exponential growth in the number of people in prison; rising since the early 1990's from approximately 41,000 people to more than 88,000 people. Decisions made by governments have resulted in the unprecedented position, which will see prisons run out of space. As this occurs, this will put the public at risk. To prevent this from happening, space must be made in prison. Although not ideal, it will be far safer to release prisoners earlier from custody than to be in a position where the police and courts have nowhere to send even the most serious offenders. This will happen and the public will be put at increased risk.

As an unprotected department, austerity hit the Ministry of Justice and our prisons hard. There has been insufficient money available to maintain the current prison estate, let alone build new prisons or create additional space early enough. New prison places which are planned are too little and too late to avert prisons running out of space. It is simply not possible to squeeze any more people into a full and overcrowded prison system, and to think this is possible is fanciful at best.

Having a significant reduction in the demand on prison space is needed now, not doing so will result in the CJS failing. Now is not the time for sentencing reviews, or indeed a royal commission; both are needed, but these should come later to avoid this situation reoccurring; waiting for these reviews will see prisons run out of space, and this will put the public at risk.

What is needed now from any new government is an immediate change in legislation that will result in sentenced prisoners being routinely released from custody at the 40% mark of their sentence. This must be applied to all sentenced prisoners currently in custody retrospectively. This will see a significant reduction in people in prison which will alleviate this crisis. There may be other options which help, but these will not have the immediate impact required. Without a significant reduction in the prison population now, the CJS will fail, and the public will be put at risk.

We believe that there is no other option open to a new government to avoid prisons running out of space. Further work will be required to ensure we never reach this position again, but without

taking this action now, the public will be put at risk. We ask that you as leaders consider these proposals and work collaboratively on this occasion, by at least taking politics out of justice.

We openly and genuinely offer our support to help whoever the new government will be in navigating its way out of this crisis, and we hope that future opposition parties will be equally supportive of the new government.

We have reached this position on successive governments' watches; taking no action or leaving it too late will put the public at risk. The position we find ourselves in is not of our members making; successive governments have failed to ensure sufficient resourced space exists across the prison estate. This is shameful. We ask that collectively you accept this and support our call for an immediate reduction in the number of people in prison.

Our members are the experts in running prisons. They are telling us that the current overcrowded state of our prisons is not sustainable, running out of space will have a catastrophic impact on the CJS. When Parliament opens, we implore you to address the concerns we raise in this letter without delay; an uncrowded prison system should have no more than about 78,000 people in custody.

Yours sincerely,



Tom Wheatley  
President



Carl Davies  
Vice President



Mark Icke  
Vice President

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[Prison Governors Association – Representing the Prison Governors of the United Kingdom \(prison-governors-association.org.uk\)](http://prison-governors-association.org.uk)