

January 2025

Written evidence submitted by the Prisons and Probation Ombudsman

1. I am grateful for the opportunity to provide comments on this inquiry into rehabilitation in prisons and resettlement services.

My role

2. The Prisons and Probation Ombudsman (PPO) carries out investigations into deaths and complaints in custody in England and Wales. Our roles and responsibilities are set out in our Terms of Reference.¹ Our remit includes investigating:
 - complaints made by prisoners, young people in detention, offenders under probation supervision and individuals detained under immigration powers.
 - deaths of prisoners, young people in detention, residents in approved premises and individuals detained under immigration powers due to any cause.
 - deaths of recently released prisoners that occur within 14 days of release from prison (except homicide).
3. The purpose of these investigations is to understand what happened, to correct injustices and to identify learning for the organisations whose actions we oversee, so that we can achieve tangible benefits for the safety and confidence of those in custody and under community supervision.

My submission to the Inquiry

4. We have responded to some of the questions in the call for evidence. I wanted to bring to the Committee's attention a change I have recommended to HMPPS which would help increase family ties for prisoners. I have set out our concerns with prison infrastructure. In response to section three on resettlement services, I have outlined some of our findings from our post-release deaths investigations. Lastly, I have explained the concerns I have with the current licence recall conditions.

Question 3: What impact does custody have on prisoner health and wellbeing, and how effective is provision for this in prison in promoting rehabilitation?

¹ [PPO Terms of Reference](#)

5. The PPO through its investigations of self-inflicted deaths understands the crucial importance and benefit to prisoners of family ties. Family ties are also key to rehabilitating prisoners and reducing reoffending. Research from the Ministry of Justice shows that for a prisoner who receives visits from a family member, the odds of reoffending are 39% lower than those who do not.²
6. Prisoners earn a very limited amount in prison and face choices on how they spend the small amount they have. One option is adding money to their phone account to contact friends and family from their pre-approved directory. In some of our self-inflicted investigations, we found that the prisoner had no credit left on their phone account. This was a concerning and unsettling finding that made us wonder whether a phone call to a loved one could have helped the prisoner at all.
7. In August last year, I published an article highlighting an opportunity for HMPPS to better support prisoners by providing more minutes for prisoners to call loved ones. Currently prisoners, unlike most of us, pay for their phone calls per minute. Having spoken to staff at multiple prisons, I understand there is little reason for this outdated system. In the article, I propose that the current system should be reformed, and telecom providers should provide unlimited minute contracts to the prison service.³ The prisoner should pay for their contract and the prison governor should decide how many minutes each prisoner is given. We believe implementing this change, and increasing access to minutes for prisoners, would help better support prisoners and protect family ties.

Question 7: To what extent do prison buildings and their maintenance facilitate or hinder rehabilitation?

8. Last year, the IMB published a thematic report on the impact the deteriorating prison estate has on prisoners.⁴ The PPO is also concerned with the conditions prisoners are living in and the effects this is having on both their physical and mental health. In the report, it mentions that many local IMBs report prisoners are so accustomed to appalling conditions that they lack motivation to submit complaints. We suspect this is correct and reflects the low numbers of complaints we receive about prison buildings.
9. Nevertheless, the complaints that are made continue to concern us. For example, last year, the PPO investigated a complaint on unsanitary conditions in a prison's segregation unit. A prisoner complained that for the 42 days he had been in the segregation unit, the toilet flush in his segregation cell was broken. He had to flush his toilet by filling a bucket at his sink and pouring the water into the toilet. This was

² [Ministry of Justice: The importance of strengthening family ties to prevent reoffending and reduce intergenerational crime](#)

³ [PPO: Connections by Ombudsman Adrian Usher](#)

⁴ [IMB: The impact of a crumbling prison estate on prisoners, November 2024](#)

the same tap he drank and washed from and he believed that the cross-contamination had given him E.coli. We upheld the prisoner's complaint. Despite multiple efforts by the investigator, we were unable to confirm whether the toilet was repaired. We found that the initial complaint was not treated with urgency by staff, despite the health and safety issues.

10. This complaint is just one example of a much larger issue with prison infrastructure. The substandard and unhealthy living conditions create feelings of stress and hopelessness within prisoners. The current prison infrastructure feels punitive rather than rehabilitative. To help rehabilitate prisoners, it is important that prisons are maintained properly and prisoners live in safe and sanitary establishments.

Question 11: How effective is support provided to ex-offenders on release such as homelessness prevention, employment opportunities and health and wellbeing services?

11. In July 2024, the PPO published a learning lessons bulletin on post release deaths.⁵ The bulletin covers 137 post-release death investigations started between September 2021 and December 2023.

Homelessness:

12. The bulletin flags that homelessness on release was a considerable issue and it seems that prisoners who are released homeless may be overrepresented in our post-release death investigations. Of the 105 deaths during this period where we published an initial or final report, 32% (34 prisoners) of the prisoners were released homeless. This is a high proportion when framed within the context of MOJ data from this period which suggests that the proportion of people released from custody without housing was around 14%.
13. In some cases, we found that there was a lack of urgency in the probation practitioner's referral or within community services when responding to queries or referrals from HMPPS. Instead of locating suitable accommodation in advance of release, often local authorities required the prisoner to report to the housing officer on the day of their release, in the hope they could be given emergency housing.
14. Being released homeless significantly increases a prison leaver's vulnerability. It also creates further difficulties for prisoners to access other necessary services, for example, we investigated one case where a prison could not make a mental health referral because the community mental health team would not accept referrals without an address. To support prisoner leavers, every effort should be made to release prisoners into safe and suitable accommodation.

⁵ [Learning Lessons Bulletin Issue 19: Post-release death investigations 2](#)

15. As I explained to Phil Copple in a recent letter, we have not investigated any deaths of prisoners released under SDS40, despite our predictions that we would. We suspect that this is due to the increased preparation for individuals released under the scheme. In connection with SDS40, the Lord Chancellor also authorised probation directors to use budget hotels, as a temporary measure. Whilst it is too early to draw any definite conclusions from SDS40, this again would suggest the importance of housing in minimising harm to prisoners post release.

Health services:

16. Of the 105 post-release death investigations where we had published an initial or final report, almost 40% of the individuals had experienced mental health issues in prison. Concerningly, we found several cases where referrals from HMPPS were not accepted by community mental health services. This meant that, despite the efforts of prison staff, the support available on release did not reflect the high risk of suicide or self-harm the prison leaver presented.
17. Of all the post-release investigations started in this period, 83 (the majority) were drug related. 20 of these drug related deaths occurred within one day of release. This highlights the difficulties faced by prison leavers to maintain drug abstinence and the importance of release planning to ensure prison leavers have immediate access to substance misuse services. In some of the cases we reviewed, we found that the prisoner was worried about being released into accommodation that might lead them back to substance misuse, such as approved premises, due to their reputation for heavy drug use.

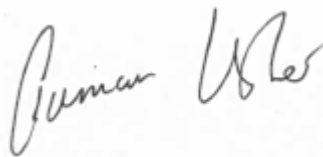
Question 12: What impact do licence recall conditions have on promoting resettlement?

18. The PPO is concerned with recall and the drastic rise in the recall prison population. In 2023, the PPO published a bulletin on IPP prisoners where we flagged recall as a potential trigger for suicide and self-harm.⁶ The uncertainty and stress caused to prisoners from recall applies to all prisoners.
19. Data from April to June 2023 shows there were 9,782 licence recalls during this period (a 44% increase on the same quarter in 2023). 24% of recalls involved a charge of further offending, 77% involved non-compliance, 36% involved failure to keep in touch and 23% involved failure to reside.⁷ These proportions have remained relatively stable. This data shows the high number of recalls where no further crime has been committed and the individual has been recalled for technical reasons, such as failing to attend appointments.

⁶ [Learning Lessons Bulletin Issue 18: Self-inflicted deaths of IPP prisoners](#)

⁷ [Offender management statistics quarterly: April to June 2024](#)

20. Between December 2023 – December 2024, we received approximately 70 complaints regarding recall. Whilst we did not investigate these, as sentencing and the actions of the parole board when considering recall, is outside of our remit, in a significant number of these complaints, the complainant felt they had been unfairly recalled to prison.
21. The PPO believes that current licence recall conditions hinder resettlement and should be reviewed. As the Committee will be aware, prison leavers are a particularly vulnerable group in society with complex issues such as drug and alcohol use and mental health issues. Furthermore, as our post-release bulletin highlights, services often fail to adequately support prison leavers. Failing to meet some of the more technical licence conditions does not mean an individual poses greater risk to the community. However, being recalled to prison is a potential trigger for suicide and self-harm and the decision to recall an individual should not be made lightly. Recalling the prisoner also jeopardises any progress they have made to settle within the community.
22. I hope that this is helpful. Please contact me if you require any additional information.



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