



cc 100
QUEEN ANNE'S GATE LONDON SW1H 9AT

7 August 1985

NBPM

Mr Patrick,

Thank you for your letter of 5 August commenting on the planning aspects of my proposal to convert RAF Lindholme into a prison.

I am grateful to you for alerting me to the possible risk of legal challenge if I proceed without complying with the procedures for Crown development set out in DoE Circular 18/84. I have consulted Patrick Mayhew on this who has advised that the local authority has a "legitimate expectation" that I will comply with the provisions of the Circular as regards consultation and that prima facie the courts would be likely to grant a declaration that my action in proceeding was illegal, unless it could be shown that to comply with the consultation procedures in the Circular would conflict with my public or statutory duty. In Patrick's view, I would have to demonstrate that the situation was such that the performance of my duty would be adversely affected if I complied with the Circular.

I am confident that in the light of the current population crisis in the prisons, I can readily mount a defence to an application for judicial review seeking such a declaration. There is no doubt that by virtue of my constitutional responsibility for prisons, I have a public duty to ensure that there is adequate prison accommodation. This duty is the basis of the statutory provisions in the Prison Act 1952, for example, that in section 4. I am faced with an unprecedented rise in the prison population this year - at 48,000, it now stands some 3,000 higher than our estimates based on experience in earlier years. This increase in numbers is imposing very severe pressures on the prison system, particularly in the North Region, where it is becoming increasingly difficult to find places in prisons for prisoners in local prisons awaiting allocation. The Department has considered every possible option, but it has become clear that there is no property other than RAF Lindholme which could be made available as a prison in time to meet the urgency of the problems facing the local prisons in the North Region. It is for this reason, and because it is essential to accommodate prisoners at Lindholme as soon as possible, that I am unable to follow the procedures in Circular 18.

I therefore intend to proceed with the announcement of my intention to acquire Lindholme. The announcement will be made by way of a press notice, covering a statement to the Prison Service, which will be released at 12 noon tomorrow. A copy of the press notice and of my statement is attached. I appreciate that this announcement may cause difficulties for the local planning authority, local MP (Mick Welsh) and perhaps other local interests. I have asked my officials, who are already in touch with the local planning authority, to make clear to the authority that although I do not intend to follow the procedures in Circular 18, it is my intention that they should be as fully consulted as possible about the conversion of Lindholme to a prison. In this way I hope that, while we cannot be certain of a smooth passage, we shall have done the best we can in the circumstances to ensure one.

/I am copying

The Rt Hon Patrick Jenkin, MP

I am copying this letter to the Prime Minister, to Quintin Hailsham, George Younger, Michael Heseltine, Patrick Mayhew and Ian Stewart.

Law,
Len

PRESS NOTICE

PRISON POPULATION

The Home Secretary, the Rt Hon Leon Brittan QC MP, today announced in a statement to the Prison Service (copy attached) further measures to deal with the continued high level of the prison population by

- increasing capacity
- recruiting more staff
- reducing the pressures contributing to the problem

Increasing capacity

The former RAF station at Lindholme, near Doncaster, is to be a new prison establishment providing up to 600 places by about the turn of the year, with a potential for up to 1,000 places in the longer term. It will be a closed adult training prison housing prisoners in security Category C. The transfer of such prisoners to Lindholme will provide direct relief for the hard pressed local prisons and remand centres in the North region of the Prison Service.

Recruiting more staff

200 new prison officers will be recruited urgently in order to open Lindholme; these 200 will be in addition to the increase of 240 announced in May. Special arrangements will be made to recruit and train the officers in time for Lindholme's opening.

Reducing the pressures

Other steps being taken which bear on the problem on a longer timescale include:

- further emphasis on non-custodial facilities by encouraging the

Probation Service to do all that it can to provide non-custodial alternatives to ^{imprisonment} / and to bring to the attention of the courts the availability of such measures as community service and such facilities as bail hostels.

- measures to reduce court delay and redistribute court business in order to reduce the remand population and to a lesser extent the total population. Preparations continue for the introduction of statutory time limits on the period before trial and Ministers are considering the scope for making some "triable either way" offences summary offences only, with the benefit of shorter waiting times in the Magistrates' Courts.
- support for policies which divert minor offenders from the criminal justice system, such as the extension of police cautioning for drunks (some of whom would otherwise end up in prison in default of fines) and increasing the number of places available in regional secure psychiatric units.

Commenting on the announcement in his statement to the Prison Service the Home Secretary said "These measures will not, of course, solve the problems / the hard pressed prison system overnight. But they will, when carried through, represent a real and lasting improvement in the position, and a genuine relief from the pressures which are currently upon prison staff and inmates. The Government is determined to provide the prison places necessary to accommodate those whom the courts decide must receive custodial sentences. It will continue to keep the position under close review and to take the steps necessary to deal with it. It is greatly to the credit of the Prison Service that it has contained the substantial rise in the population in recent months. I want all prison staff to know that they have my thanks and support for all they have achieved."

PRISON POPULATION

Statement by the Home Secretary to the Prison Service.

Today I have announced further measures to deal with the continued high level of the prison population. I want to tell the Prison Service directly what I have done and to set out the context in which I have done it.

You will be well aware that the prison population currently stands at record levels. Between the end of September 1984 and the end of June 1985 the population rose from 42,200 to 47,600 - an increase of 5,400. Since the end of June there has been a further increase, and for most of July the population stood at about 48,000.

The reasons for this increase will become clearer when information becomes available on sentencing in 1985. But our current assessment is that it has been mainly due to a larger number of defendants being dealt with by the Crown Court, and a larger proportion of them being given a custodial sentence. There is also evidence towards the end of 1984 of an increase in the length of custodial sentences being imposed by the Crown Court for some types of offences, which may be a contributory factor.

It seems unlikely that a very substantial reduction in the population will occur in the near future. Prudent planning should be on the basis that it is unlikely to fall much below 48,000 until December, and might well go even higher.

The size of the prison population - which on Friday, 2 August stood at 48,165 - is inevitably placing considerable strain not only on the prison estate but on the staff of the Prison Service. The Service has responded magnificently to the extra demands being placed upon it.

The Government's response is three fold. We are:

- increasing capacity in the prison system
- recruiting more staff
- reducing the pressures contributing to the problem.

Increasing capacity

In my speech to the Annual Conference of the Prison Officers' Association in May, I announced the creation of 1,000 additional inmate places in prisons during the Summer.

These have been delivered. We have:

- brought the new prison at Wayland to full capacity faster than originally planned;
- opened wings at Dartmoor and Frankland Prisons;
- reopened Morton Hall; and
- added further accommodation at Wetherby Youth Custody Centre and changed it from an open to a closed establishment.

Developments in the next few months will include:

- the rapid build up of the new prisons at Thorn Cross and Stocken;
- the conversion of under-used detention centre accommodation at Werrington House to youth custody use;
- the change in the role of Hull from a dispersal to a local prison, with a consequent change in the role of Thorp Arch from remand centre to adult Category C use to provide some relief to Leeds;
- the provision of additional places at Deerbolt Youth Custody Centre.

Together these will add a second thousand or so places to the prison system.

In addition I have announced today that I have approved the purchase of the former RAF station at Lindholme, near Doncaster, as a new prison establishment. This establishment will, after fencing and refurbishment, provide up to 600 additional inmate places by about the turn of the year, and longer term developments on the same site could provide a further 400 places. Lindholme will be a closed adult training prison housing prisoners in security Category C. The transfer of such prisoners to Lindholme will provide direct relief for the hard pressed local prisons and remand centres in the North Region.

Recruiting more staff

200 new prison officers will be recruited in order to open Lindholme. These 200 will be in addition to the increase of 240 over the year on planned figures which I announced to the POA Conference in May. Special arrangements are being made to recruit and train the extra 200 officers in time for Lindholme's opening.

Reducing the pressures contributing to the problem

The Government is taking other steps which bear on the problem, though in a longer time scale. These include:

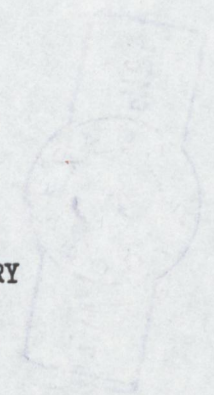
- further emphasis on non-custodial facilities by encouraging the Probation Service to do all that it can to provide non-custodial alternatives to imprisonment and to bring to the attention of the courts the availability of such measures as community service and such facilities as bail hostels;
- measures to reduce court delay and redistribute court business in order to reduce the remand population, and to a lesser extent the total prison population. Preparations continue for the introduction of statutory time limits on the period before trial and I and my colleagues are considering the scope for making some "triable either way" offences summary offences only, with the benefit of shorter waiting times in the Magistrates Courts;
- support for policies which divert minor offenders from the criminal justice system, such as the extension of police cautioning for drunks (some of whom would otherwise end up in prison in default of fines) and increasing the number of places available in regional secure psychiatric units.

Conclusion

These measures will not, of course, solve the problems of the hard pressed prison system overnight. But they will, when carried through, represent a real and lasting improvement in the position, and a genuine relief from the pressures which are currently upon prison staff and inmates. The Government is determined to provide the prison places necessary to accommodate those whom the courts decide must receive custodial sentences. It will continue to keep the position under close review and to take the steps necessary to deal with it. It is greatly to the credit of the Prison Service that it has contained the substantial rise in the population in recent months. I want

all prison staff to know that they have my thanks and support for all they have achieved.

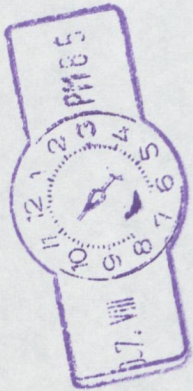
Leon Brittan
HOME SECRETARY



HOME OFFICE
Queen Annes Gate
London
SW1H 9AT

8 August 1985

HOME AFFAIRS: Prisons : PEZ



Prime Minister ⁽²⁾

This is the draft amendment by
the Home Secretary, which will be made on
Thursday.

MEM 6/8

DRAFT PRESS NOTICE

PRISON POPULATION

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Reducing the pressures

Other steps being taken which bear on the problem on a longer timescale include:

- further emphasis on non-custodial facilities by encouraging the

Probation Service to do as much as it can to provide non-custodial alternatives to custody and to bring to the attention of the courts the availability of such measures as community service and such facilities as bail hostels.

- measures to reduce court delay and redistribute court business in order to reduce the remand population and to a lesser extent the total population. Preparations continue for the introduction of statutory time limits on the period before trial and Ministers are considering the scope for making some "triable either way" offences summary offences only, with the benefit of shorter waiting times in the Magistrates' Courts.

- support for policies which divert minor offenders from the criminal justice system such as the extension of police cautioning for drunks (some of whom would otherwise end up in prison in default of fines) and increasing the number of places available in regional secure psychiatric units.

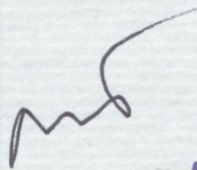
Commenting on the announcement in his statement to the Prison Service the Home Secretary said "These measures will not, of course, solve the problems of the hard-pressed prison system overnight. But they will, when carried through, represent a real and lasting improvement in the position, and a genuine relief from the pressures which are currently upon prison staff and inmates. The Government is determined to provide the prison places necessary to accommodate those whom the courts decide must receive custodial sentences. It will continue to keep the position under close review and to take the steps necessary to deal with it. It is greatly to the credit of the Prison Service that it has contained the substantial rise in the population in recent months. I want all prison staff to know that they have my thanks and support for all they have achieved."

PRIME MINISTER

You ought to be aware that the Home Secretary is proposing to make an announcement on Thursday that, in view of the unexpected increase in the prison population since last autumn, he will be arranging to purchase the old RAF station at Lindholme, near Doncaster, to use as extra prison capacity. The overall cost will be some £17 million in the current year.

The Home Secretary is now clearing his lines with Treasury, DOE and the Law Officers (in the case of the latter, to ensure that the proposals do not fall foul of planning legislation). The proposal is an expensive one, and will no doubt give rise to comment that the need for it is an indication of the Government's difficulties with its policy on law and order. The Home Secretary is ^{lower} convinced that extra capacity is required despite the Government's concern to develop alternatives to custody and encourage the courts to use them. In the end, the prison places needed to accommodate those whom the courts decide must receive custodial sentences have to be provided.

A draft text of the announcement is coming over tomorrow so that you will be able to see the line the Home Secretary is proposing to take.



Mark Addison

MARK ADDISON

5 August 1985



2 MARSHAM STREET
LONDON SW1P 3EB
01-212 3434

My ref:

Your ref:

5 August 1985

Dear Home Secretary

Thank you for sending me a copy of your letter of 29 July to Nigel Lawson, from which I note inter alia that you propose to proceed with the works necessary to convert RAF Lindholme into a prison without complying with any of the procedures for Crown development set out in Circular 18/84. There are no precedents for such a course and, judging by the advice received on other similar cases, there is a real wish of legal challenge if you proceed as you propose.

Faced with similar planning problems on the Trident programme, MOD sought advice from the Scottish Law Officers to see whether in the national interest planning arrangements covered by SDD Circular 21/84 - the Scottish equivalent of DOE Circular 18/84 - could reasonably be circumvented or set aside. The Lord Advocate's advice was I understand that if such action were to be taken, there would be a strong risk that a court would issue a declaration that the action taken was ultra vires. As a result, the Lord Advocate counselled that government circulars such as DOE 18/84 and SDD 21/84, although non-statutory still laid down the way in which the government is supposed to behave and, consequently, the way in which the public expect the government to behave.

The erection of security fencing at RAF Molesworth provides another recent and relevant example. Even in the special circumstances of that site, the proposals were cleared in advance with the local authority under Circular 18/84 procedures and only the timing, together with certain details of the erection operation, were kept secret until the last minute. Similarly, all the remaining planning at Molesworth, despite its sensitivity and urgency, is also being cleared under the terms of Circular 18/84.

Another lesson from the Molesworth example is that the PSA contract (with Tarmac) for the erection of secure weldmesh fencing around the whole site took less than five weeks to complete. Admittedly there was a small premium to be paid for such speed but this I suggest is infinitely preferable

to risking the opprobrium which overriding the agreed planning and consultation processes would surely entail. And the special urgency provisions in the procedures allow the local authority only 14 days in which to comment. The main risk of delay would arise if the Local Authority oppose the change of use and a non-statutory public enquiry became necessary. A delay of 2/3 months could then arise.

I am sending copies of this to the Prime Minister, to Quintin Hailsham, Nigel Lawson, George Younger and Michael Heseltine.

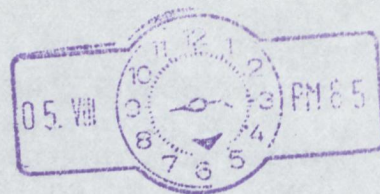
Yours sincerely

Atkin

for

PATRICK JENKIN

*Approved by the PM and
signed in his absence*





10 DOWNING STREET

CF

PL of these papers to
me in Pretay 9/8, when
any other come in in the
the meantime.

MEBA 578

CENO



Treasury Chambers, Parliament Street, SW1P 3AG

The Rt Hon Leon Brittan QC MP
 The Secretary of State for the
 Home Department
 Home Office
 50 Queen Anne's Gate
 LONDON SW1H 9AT

2 August 1985

Dear Home Secretary,

DEALING WITH THE PRISON POPULATION

In the Chief Secretary's absence, I am replying to your letter of 29 July to the Chancellor.

As you know, Treasury Ministers share your concern about the rising prison population. Imprisonment is an expensive option. The recent developments underline the need to consider radical ways of reducing the prison population so that the necessarily finite resources devoted to the prison service can be used to the best effect. Options that must be considered go beyond reducing the numbers of remand prisoners and include sentencing policy and criminal justice policy insofar as it directly affects the prison population.

It would be quite unjustified to add to the planned prison estate before we have considered those options. So we could only agree to your plans to convert RAF Lindholme at this stage as a replacement for one of the other projects already in the building programme.

You ask that we should accept a potential claim on the Reserve and a Winter Supplementary to avoid a breach in your cash limit, when we are less than half way into the financial year. As for the potential overspend, I note that you can absorb the the extra costs arising from pay and NICS changes, and I must ask you to redouble your efforts to find ways of absorbing the whole of the £27m. As to the cost of purchasing and converting RAF Lindholme, I note that you are not yet formally making a claim on the Reserve. I am grateful to you for warning us at this stage that you may need to do so later in the year. Before considering such a claim however, and bearing in mind the underspent on vote 7 last year, we

would expect you to search in depth for offsetting savings in other parts of your cash limited programme. You are obviously aware of the need to minimise the pressures on public expenditure in this and future years. I am sure that we can rely on you to do everything in your power to avoid the need for a claim, including seeking efficiency savings and changes in working practices as soon as reviews currently underway indicate the scope for them. It would be helpful if your officials could keep mine in touch with progress at monthly intervals.

You also request an increase in the complement of the Prison Service of 200. We do not yet know what the prison population will be towards the end of the year when you anticipate Lindholme being commissioned, and it may well be that not all the staff which you seek authority to recruit will be required. However I understand that recruitment and training of the new staff requires to be set in hand soon so that they are available when needed. Provided that they do not count as an addition to the manpower baseline for PES purposes, but can be regarded as an anticipation of manpower requirement covered by your PES bids, I am prepared to agree to the increase in complement you seek. My officials are in touch with yours about the precise figures. I am sure that we can rely on you not to recruit more staff than are actually needed, should the trend in the prison population improve.

I agree with you that we need a public reinforcement of our policy that alternatives to custodial sentence should be used wherever appropriate. Bringing the options to the notice of the courts once again, talking to the Lord Chief Justice and to judges training courses are all welcome steps. But I wonder whether we should not consider going further. I am seriously worried that magistrates in particular are making insufficient use of alternatives to custodial sentences in cases where they would be a more fitting punishment, and I ask you to give consideration to a public restatement of our agreed policy. Such an announcement would also go a long way to help reassure the POA, to which I know you attach importance. The announcement of the new prison at Lindholme might be an appropriate occasion. I am also concerned that our consideration of the proposals for the Criminal Justice White Paper should not omit their effects on the prison service. This should be added to the range of factors relevant to our discussions of policies to be included in the White Paper.

Lastly, I am concerned that magistrates in particular, as well as the general public, are unaware of the real costs of custodial sentences. It occurs to me that one way to help overcome this would be to make generally available guidance on the cost of various types of lengths of sentences in different areas of the country. I would be grateful if you could give this idea serious consideration as a matter of urgency.

Subject to the points mentioned, to which I attach considerable importance, I have no objections to your proceeding with the

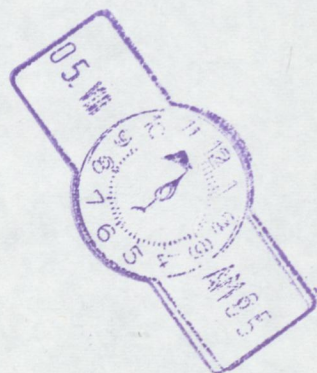
Lindholme project, though I realise that you are unable to guarantee that you will be able to absorb the whole of the fl. 5m which you estimate this will cost within your current provision without calling on the Reserve.

I am copying this letter to the recipients of yours.

Yours sincerely,
Alan Ellis

for IAN STEWART

[Approved by the Economic Secretary]



010
E.R.

cc. Mr Yates
Mr Davidson
Mr Webber
Mr Faulkner
Mr Moriarty
Mr Partridge
Mr Lakes
Mr Bohan
Mr Caines
Mr Halliday
Mr Langdon
Mr Platt
Miss Maurice
Mr Mower
Mr Jeffrey
Mr Coleman
Mr Edwards

Mr Train

PRISON POPULATION

The Home Secretary has seen your submission of 26 July and has written to the Chancellor of the Exchequer in the terms proposed, subject to small amendments to the 7th, 9th and 13th paragraphs. I attach a copy of the letter as despatched.

Private Office
29.7.85

H H TAYLOR
Principal Private Secretary



QUEEN ANNE'S GATE LONDON SW1H 9AT

29 July 1985

Nigel,

DEALING WITH THE PRISON POPULATION

There has been a steep and unexpected increase in the prison population since last autumn and the position is now giving cause for very serious concern. I thought I should let you know how I see the situation developing and what action I consider we must take immediately. If you accept my analysis, I would seek your early assurance that if financial help is needed, it will be forthcoming.

The background to the problem is as follows. After a reduction in the prison population in July of last year, arising from the reduction in the minimum qualifying period for parole, there was a sustained increase in the population from 42,200 at the end of September 1984 to 47,600 at the end of last month, and we have been running at about 48,000 for the last three weeks. These are unprecedentedly high figures. The average population for this year, which was implied by the projections used in the last PES round for resource planning purposes, was 44,000.

This figure was passed at the end of January. Our latest assessment is that the population is unlikely to fall much below 48,000 until December and might go even higher. Though it should then dip substantially in accordance with the usual seasonal pattern, there seems every likelihood of it going higher still next year. Even on the most optimistic judgment, therefore, there seems no chance whatsoever of the average population for this year being anything like as low as the 44,000 implied in last year's long-term projections.

This means that the population is now some 8,000 above the Certified Normal Accommodation of the prison system (CNA), the level above which overcrowding occurs. The maximum over the last three years by which the population has exceeded CNA has been 6,000 and that only for very short periods. We have been beyond 6,000 over CNA this year since before Easter. This has placed a very substantial and continuing burden on the human and physical resources of the system.

/At this stage

The Rt Hon Nigel Lawson, MP

At this stage we are inevitably unsure of the reasons for this exceptional growth, but I attach a copy of a Question answered on Friday which gives our most up-to-date assessment.

In logic, the options for dealing with the situation (which I see no reason for assuming will not extend over the next 12 to 18 months) are to stem the inflow of prisoners, to increase the outflow, or to increase the capacity of the Prison Service, either temporarily or permanently, to handle increased numbers. A further possibility would be to make semi-permanent use of police cells, but this is patently so unacceptable in humanitarian, practical and political terms that I discount it as a positive policy option. Suffice to say that whereas in the past locking out into police cells generally became routine when the gap between CNA and the population exceeded 3,000, locking out in the first half of this year when the gap has been for the most part double that figure, has been very limited (due almost entirely to the determination which the Prison Service has shown in finding alternative ways of handling the population surge).

There are a number of measures which we are taking to reduce the rate at which inmates flow into the system. These include:

- (i) reinforcement of our message about the desirability of using non-custodial measures wherever appropriate. I intend to encourage the probation service in this and other contexts to look critically at the service they give to the courts, and to satisfy themselves that they are doing as much as they can to develop non-custodial alternatives, and to bring the availability of measures like community service and facilities like bail hostels to the courts' attention;
- (ii) publicising the situation - I have already given Parliament our current assessment; I intend to draw the position to the attention of the Crown Court Judges attending refresher seminars at Roehampton in September, and to publish a Statistical Bulletin on the prison population in the autumn. I am shortly too due to have a meeting with the Lord Chief Justice at which I shall deploy the up-to-date information.

/In addition

In addition to the above measures, my Department is discussing with the Lord Chancellor's Department the setting up of a joint scrutiny of the interface between the courts and the prisons on such matters as the production of prisoners, listing of cases and the escorting of prisoners. Whilst this might not have any direct influence on the numbers being handled, it might release resources, which we are convinced are being wastefully deployed in some respect in these areas at present, for better use. I have also put to the Lord Chancellor proposals for legislation in relation to the distribution of court business which would make a contribution to reducing the prison population.

I have examined but set aside measures designed to reduce the prison population such as executive release and increases in remission. The former is not I believe a politically or practically acceptable solution to a problem such as the one with which we are faced (it would produce only temporary relief and would be at enormous damage to our position on law and order generally); the second would, I am convinced, be similarly objectionable.

Our whole strategy in this area, exemplified by the prison building programme, has been to provide the prison places necessary to accommodate those whom the courts decide must receive custodial sentences; to make vigorous efforts to develop alternatives to custody and encourage the courts to use them; but in the last analysis not to use shortage of prison accommodation as an argument for bringing pressure directly to bear on the judges to reduce the use of custody. We must hold to that strategy. To do otherwise would do great damage to public confidence in our seriousness about tackling crime.

This brings me on to containment measures. In the first half of the year the Prison Department added some 900 places to CNA in addition to overcrowding the system by some 2,000 beyond the level that might ordinarily have been expected. That has enabled them, at the expense of excessive overcrowding, just to contain the present growth. By the end of the year the level of occupancy can be increased by a further 1,500 or so places. These will not all be increases in CNA: some involve further overcrowding and others converting to youth custody purposes under-utilised detention centre accommodation. My officials are also looking urgently at the possibility of adjustments to the demolition programme (planned as new accommodation comes on stream) to see whether the active life of some of the older camps can be sustained for a while longer. Even so, we are fast approaching the very limits of the present system to accept more prisoners.

/Looking at

Looking at next year we have measures already in the pipeline for providing an additional 1,170 prison places, provided all goes well with building and commissioning, and it might be argued that, against the possibility that the present increase might not be sustained, we ought to continue trying to muddle through with the fall back of temporary occupation of service camps if things get worse. But they provide only temporary, marginal and very expensive relief, and because there is no indication that the population is likely to fall below 48,000 before the normal December drop and could go much higher before then and thereafter, and because there are now very evident indications that prison staff and the prison estate cannot sustain for much longer the pressure which is now being placed upon them without the promise of some substantial relief from overcrowding and over-stress, I do not believe that this is an operationally supportable or politically tenable policy.

What I would propose to do, therefore, is to approve the purchase of the former RAF Station at Lindholme, near Doncaster, which is vacant and being offered for sale by PSA. Preliminary survey suggests that, after fencing and refurbishment (which would take about three months) it could provide up to 600 places by November, and longer term developments on the same site could give us up to 1,000 places. The accommodation seems of good quality so that this could be a permanent site. If we were to meet the deadline of the November peak we would have to bypass the normal arrangements for obtaining clearance from the planning authority set out in Department of Environment Circular No: 18/84 and that could cause us local political difficulties. But I would argue that the emergency justifies the action. I am, however, copying this letter to Patrick Jenkin so that he is alerted to the point.

There will also be additional capital and running costs for which no present provision exists. And the additional numbers of staff required will take us over our present manpower headcount limit. The best estimates we have been able to put together at present suggest that to meet our timetable the total additional cost in the current year might be of the order of £17.5m and that a headcount increase of about 200 might be necessary. We are working hard on refining these estimates, which we shall be ready to discuss shortly at official level.

What effect this acquisition should have on our longer term building and manpower plans can be assessed when the significance of the latest changes can be properly

/assessed.

assessed. If the present trends are not sustained, the longer-term programme can be amended: if they are, the programme will probably have to stand unchanged, though the pace and timing of future building might need to be looked at. I shall hope to be in a position to report further at the PES bilateral in September.

Not surprisingly, the recent substantial growth in population above the level used for resource planning purposes, plus a range of other factors, is also giving us Prison Vote problems. Broadly speaking, the present indications are that, unless drastic corrective action is taken, we could exceed the cash limit by around £27m. One third of this is the additional cost of this year's Civil Service pay settlement; one third is directly attributable to the population growth which has already taken place; the remaining third derives from a range of other factors such as the difficulty of concluding an agreement with the Prison Officers' Association for the sale of prison quarters at discount prices and for the buying out of rent allowances, on which your officials are currently engaged.

It is one thing to have to absorb unexpected pay and other operational costs, which in common with other Services we expect to have to do. It is quite another to have to absorb additional costs deriving from a workload far in excess of that which could reasonably have been expected when the present levels of resourcing were agreed.

My officials are currently engaged in identifying and implementing a range of measures, some of which will inevitably be very severe and place increased pressure on the Prison Service, to enable the gap between the cash limit and the present forecast overspend to be closed. I have to tell you, however, that it seems unlikely that it will be possible to do this completely. Certainly we cannot accommodate within present limits the costs of RAF Lindholme and although we shall make every effort to do so it seems very doubtful whether we can find from the measures we are contemplating all of the remaining £27m. What I would ask, therefore, is that, to the extent that we cannot avoid any overspend there might be at the end of the year which can be demonstrated as being directly attributable to the increased workload and to the expansion of the prison estate which that has occasioned, you would be prepared to agree to its being met by means of a supplementary estimate accompanied by a corresponding increase in the cash limit. As regards offsetting savings, I am in the difficulty that such

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savings as I might find from within Vote 7 ought to be set against the increased specific grant provision which will be needed for Vote 6 on account of police pay.

You will appreciate that I cannot let matters drift and need to reassure both the Prison Service and those concerned in the criminal justice system more generally, in addition to giving a clear message to the public in line with our law and order policies, that I am aware of the problems and am doing something about them.

Time is not on our side. Indeed work on RAF Lindholme ought to begin in the next week or so. So a very early response would be appreciated. My officials of course stand ready to discuss with yours any of the detail behind what I have said.

X I am copying this letter to the Prime Minister, the Lord Chancellor, the Secretary of State for the Environment and the Secretary of State for Scotland.

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Thursday, 25th July, 1985.

Written No. 318

Mr. James Pawsey (Rugby and Kenilworth): To ask the Secretary of State for the Home Department, if he will make a statement about the recent increase in the prison population.

MR. LEON BRITTAN

The prison population increased by about 5,400 between the end of September 1984 and the end of June 1985. Seven hundred of that increase was in the remand population, the growth of which has, however, slackened in recent months. The remainder was in the population of sentenced prisoners and mainly amongst sentenced adults. Information on sentencing is not yet available for 1985, and a full analysis of the factors contributing to the increase cannot therefore be made. But our current assessment is that it has been mainly due to a larger number of defendants being dealt with by the Crown Court and a larger proportion of them being given a custodial sentence. There was also evidence towards the end of 1984 of an increase in the length of custodial sentences being imposed by the Crown Court for some types of offences, which may be a contributory factor. I intend to provide a fuller account of recent changes in the prison population in a Statistical Bulletin to be published in the autumn.

