



Ministry
of Justice

10-Year Prison Capacity Strategy

December 2024

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10-Year Prison Capacity Strategy

Presented to Parliament
by the Lord Chancellor and Secretary of State for Justice
by Command of His Majesty

December 2024



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Contents

Lord Chancellor Foreword	2
The capacity challenge	4
Delivering our prison build programmes	4
Our supply schedule	9
Planning permission and infrastructure reform	10
Maintenance	13
Challenges to delivery	13
Building the digital foundations	14
Acquiring land for further expansion	15
Conclusion	15

Lord Chancellor Foreword

On the day this Government took office, I was warned that our prisons were within weeks of overflowing. Had that happened, the consequences would have been catastrophic. Courts would have been forced to cancel trials. The police would have had to halt their arrests. With crime going unpunished, we would have witnessed the total breakdown of law and order.

This Government was forced to take the necessary but difficult action. In July, we announced that some offenders serving a standard determinate sentence would have their custodial release brought forward from 50 percent to 40 percent, spending the rest on licence in the community. The measure did not take effect until September, ensuring that prison and probation staff had the time they needed to prepare for each release. In the intervening period, however, disorder swept across the country. The criminal justice system rose to the challenge, but we were brought dangerously close to collapse. It was only thanks to the hard work and goodwill of those who work in our prisons and probation services that we survived. And even then, only just. We were, at times, just one bad day from disaster.

This Government will never leave our prisons in such a precarious state again. That demands that we answer two questions. Firstly, how did the last Government allow our prison system to be brought so close to total collapse? And secondly, how will this Government ensure this never happens again?

The answer to the first question is the last Government's failure to build the prison places the country needed. In 2021, my predecessors promised 20,000 new prison places by the mid-2020s. By the time they left office, they had built just 6,000 of them. Across the entire 14 years of the last Government, factoring in both the cells they closed and those they opened, the last Government added less than 500 places to the overall prison stock.

Their recent failure was, as this document shows, the result of a series of delays. Around 6,400 prison places were delayed because of planning setbacks, and a central Government that was not willing to push on with prison building because of the potential political cost of doing so. As a result, as time has passed, the cost of new prisons has grown significantly. In 2021, the 20,000-place prison building programme was estimated to cost £5.2 billion. Now, as this document reveals, the cost will be between £9.4 billion and £10.1 billion. The cost of this delay, therefore, could reach nearly £5 billion. It is a bill that the last Government racked up, but that taxpayers will have to pay.

Even if the last Government had built at the rate it promised, it would not have been sufficient for the rise in demand for prison places. Accounting for the urgent action this Government has already taken, we still project the prison population to increase by an average of 3,000 annually over the coming years. That is the equivalent of building two mega prisons each year, far more than is feasible. In the years ahead, therefore, population growth will exceed our ability to build new prison places. The implication of this is obvious, and yet the last Government never had the bravery to confront it. While prison building is necessary, it is not sufficient to address the capacity crisis we face.



This brings me to how this Government will answer the second of my questions: how we ensure a crisis like this never happens again.

This document, our 10-year Prison Capacity Strategy, offers half of the answer to that question. It sets out how this Government will build the 14,000 prison places the last Government promised, aiming to do so by 2031. It is a detailed plan, setting out where these places will be built and by when. It is a realistic plan, containing around a 1,000-place contingency in case of further delays, and acknowledging the impact of the recent bankruptcy of ISG, a major supplier. It also contains a commitment to securing new planning powers, that will allow for greater flexibility should new land be required for future prison sites. As such, it is a realistic but ambitious plan for prison building – a far sight from the empty rhetoric and disappointing reality of my predecessors’ previous efforts.

Prison building is just one part of this Government’s plan to never run out of prison places again, however. With the prison population rising faster than we can possibly build, this Government has also launched an Independent Review of Sentencing, led by the former Lord Chancellor David Gauke. In spring 2025, the review will set out recommendations that satisfy three conditions. Firstly, that there is always a place in our prisons for dangerous offenders. Secondly, that our prisons encourage offenders to turn their backs on a life of crime, ensuring our prisons create better citizens and not better criminals, at a time when nearly 80% of offenders are reoffenders. Thirdly, it must both expand the range and use of punishment outside of prison, drawing more heavily on existing and emerging technology to curtail freedom outside of prison, just as we do on the inside.

This Government inherited a prison system on the precipice. Our initial actions, taken with reluctance but determination, brought us back from the brink. But the last Government’s greatest failure was not that it did not stop this crisis. It was that it allowed a crisis that had been so predictable, for so long, to ever come to pass. This capacity strategy, set alongside the independent review of sentencing, will ensure no future government is ever placed in the invidious situation that this one was.

Rt Hon. Shabana Mahmood MP

Lord Chancellor and Secretary of State for Justice

The capacity challenge

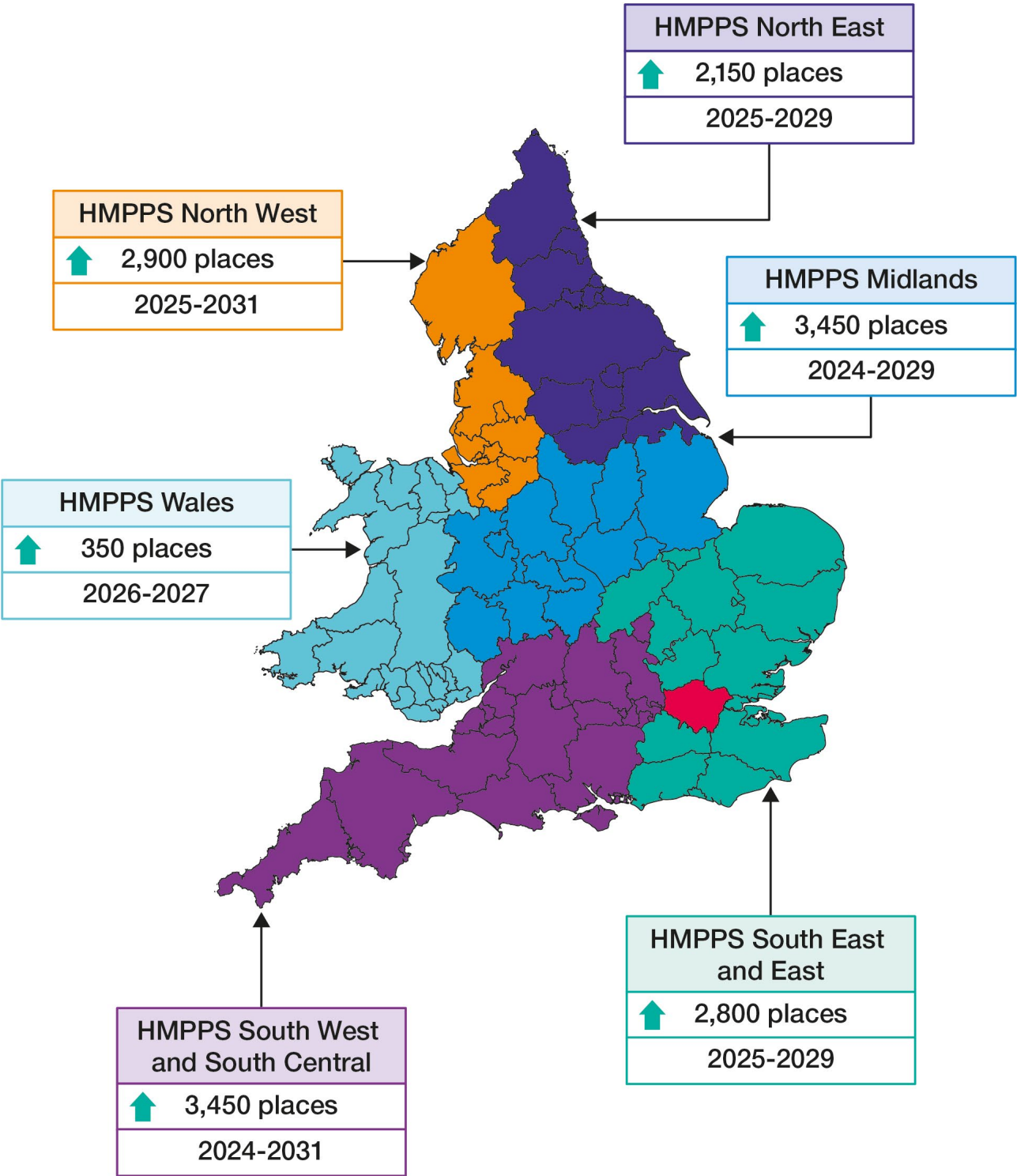
1. As of 2 December 2024, the population of the adult prison estate was 85,688, comprising 82,193 in the adult male estate and 3,495 in the women's estate. The prison population has been under considerable pressure for some time, with the adult male estate running at over 99% capacity for much of the 18 months since February 2023.
2. The previous government committed to delivering 20,000 additional prison places by the mid-2020s but failed to do this. Significant delays to projects – in some cases running years behind schedule – and a failure to address rising demand have left the system thousands of places short of the capacity it requires for the rest of the decade. It is now clear that even the original mid-2020s commitment was not sufficient to keep pace with the expected demand on prison places, according to the last government's own projections. The specific gaps are set out in detail in the first Annual Statement on prison capacity published in parallel with this strategy.
3. Despite rapid action by this government to ensure the criminal justice system did not collapse entirely, the prison population is still expected to outstrip supply. Despite all the measures already taken by this government, it is still projected that the prison population will increase by an average of 3,000 annually over the coming years. The total adult prison population is projected to steadily increase to reach between 97,300 and 112,300 prisoners by November 2032. Similar forecasts have been published since 2021 but neither the overall volume of planned supply nor the rate of delivery has been sufficient to meet this anticipated demand.
4. This strategy sets out our plans to increase capacity and correct the errors of the past. However, with new build prisons currently taking at least seven years to deliver, we will not simply be able to build our way out of this inherited crisis. In parallel, this government has announced the Independent Review of Sentencing, which will report in spring 2025. In contrast to the poor and fragmented planning of the past, our approach includes both new prison places and a Sentencing Review which intends to ensure we never run out of space again and achieve a stable and sustainable system.

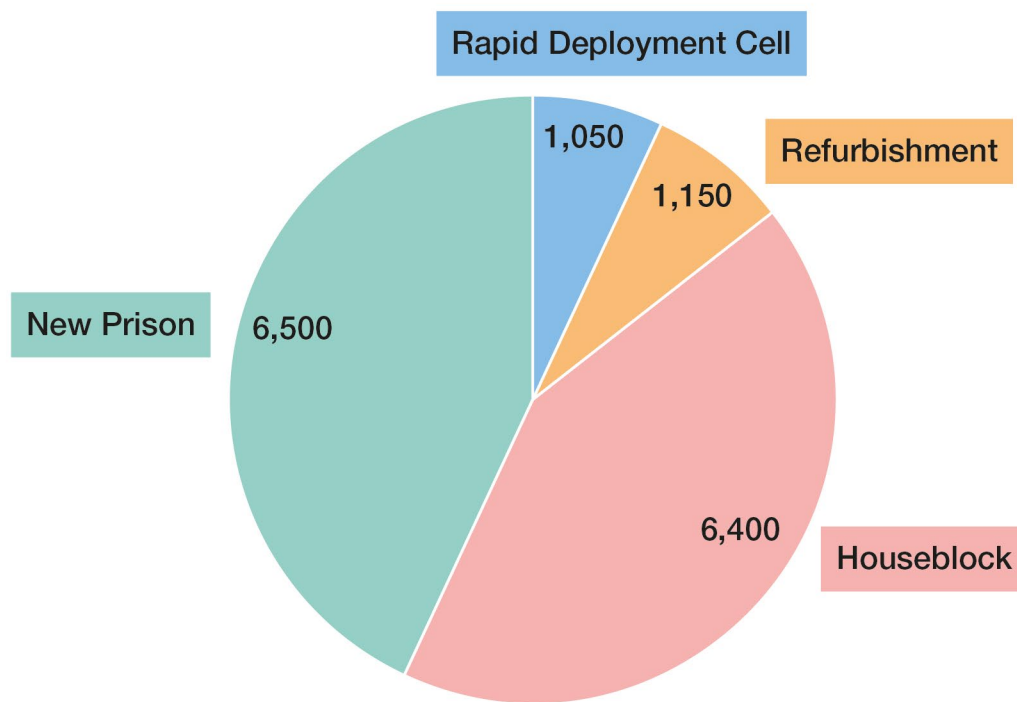
Delivering our prison build programmes

5. Since taking office in July 2024, the new government has already delivered around 500 places to the estate as part of the remaining 14,000 places. Over 2024 to 2025 and 2025 to 2026, we will invest around £2.3 billion in our prison build programmes.
6. Large infrastructure projects come with inherent risks, including ground conditions, planning permission and construction market stability. In some cases, this can result in projects becoming undeliverable or delayed. To mitigate these challenges, and the potential that this would impact our ability to meet our commitment to deliver around 14,000 places – including around 500 already completed in this Parliament – our delivery plans include contingency places that act as resilience to the programme if a project becomes undeliverable or provides poor value for money and is not taken forward (Figure 1).
7. Our current assessment is that the programmes will cost between £9.4 billion and £10.1 billion, compared to an original estimate of £5.2 billion at the time of the 2021 Spending Review. We will therefore review the value for money of building and running new prison places during the forthcoming Spending Review.

8. We will aim to deliver these prison places through:
- **New prisons** – We will deliver around 6,500 new places through new prisons which are designed to help positively impact prisoner rehabilitation. All of these prisons are built following the T60 houseblock model, a design that takes the shape of a cross and accommodates around 60 prisoners per storey. This is designed to improve security, safety and decency. New prisons will include:
 - a new prison in Yorkshire, HMP Millsike, with around 1,500 places delivering in 2025
 - a new prison in Leicestershire, with around 1,700 places which has full planning permission
 - a new prison in Buckinghamshire, with around 1,500 places, which has outline planning permission
 - a new prison in Lancashire, with around 1,700 places, which has outline planning permission
 - **New houseblocks** – We are also adding additional houseblocks to existing prisons. Our houseblocks use a range of designs to allow us to maximise our use of the available land, including the T60 model and a smaller secure houseblock design. In total we will add around 6,400 places to the estate through houseblocks including, for example, around 500 new places at HMP Channings Wood.
 - **Rapid Deployment Cells (RDCs)** – These are modular, self-contained units with a 15-year lifespan placed in existing Category C, Category D and women’s estate prison grounds and designed for low-risk prisoners. We have delivered around 800 RDCs across 14 sites and have around 1,000 more planned. The units give prisons the opportunity to further support prisoners in their transition from closed to open conditions (e.g. independent living for those prisoners who are nearing the end of their term and/or are assessed as low risk).
 - **Refurbishments** – We continue to refurbish residential units, facilities and ancillaries (e.g. kitchens, education spaces and workshops). Refurbishment of the Victorian estate will bring around 1,000 cells into the 21st century, including a wing-by-wing refurbishment of HMP Liverpool which will bring back online, in total, around 350 currently out of use places, as well as upgrading all 800 cells currently in use.

Figure 1: Breakdown of the prison build programmes by region (map) and build type (pie chart). All figures rounded to the nearest 50 places. Does not include around 6,000 places already delivered prior to July 2024.



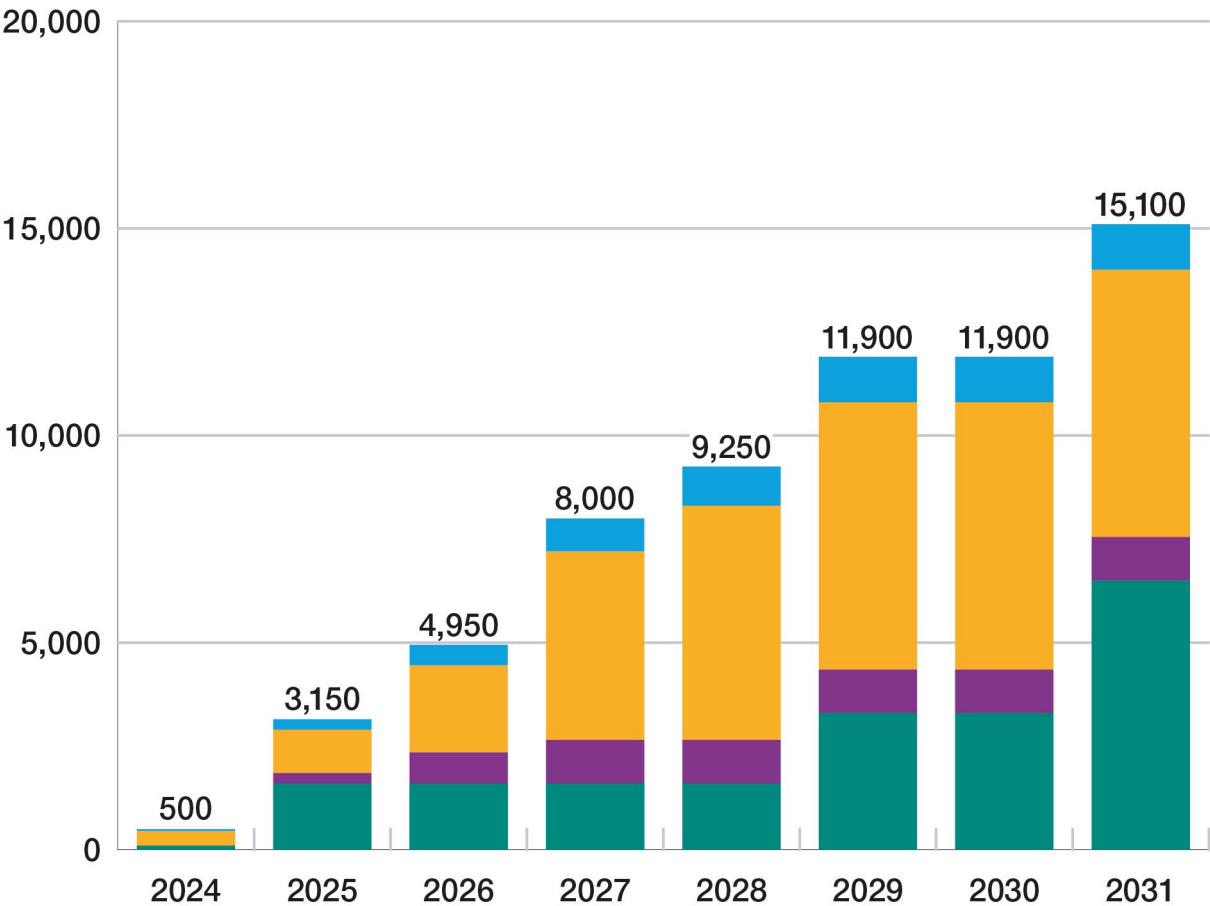


9. Across the regions, we have delivered or are delivering several projects that expand capacity and improve standards in the estate. An overview of the number of different build types and the timeline for delivery is set out in Figure 2:

Figure 2: This is a breakdown of the delivery timeline of the prison build programmes as of July 2024. This figure does not include the approximate 6,000 places already delivered but is inclusive of contingency projects to deliver the 14,000 places.

20,000 baseline places yet to deliver

- Refurbishments
- Houseblocks
- Rapid Deployment Cells
- New Prisons

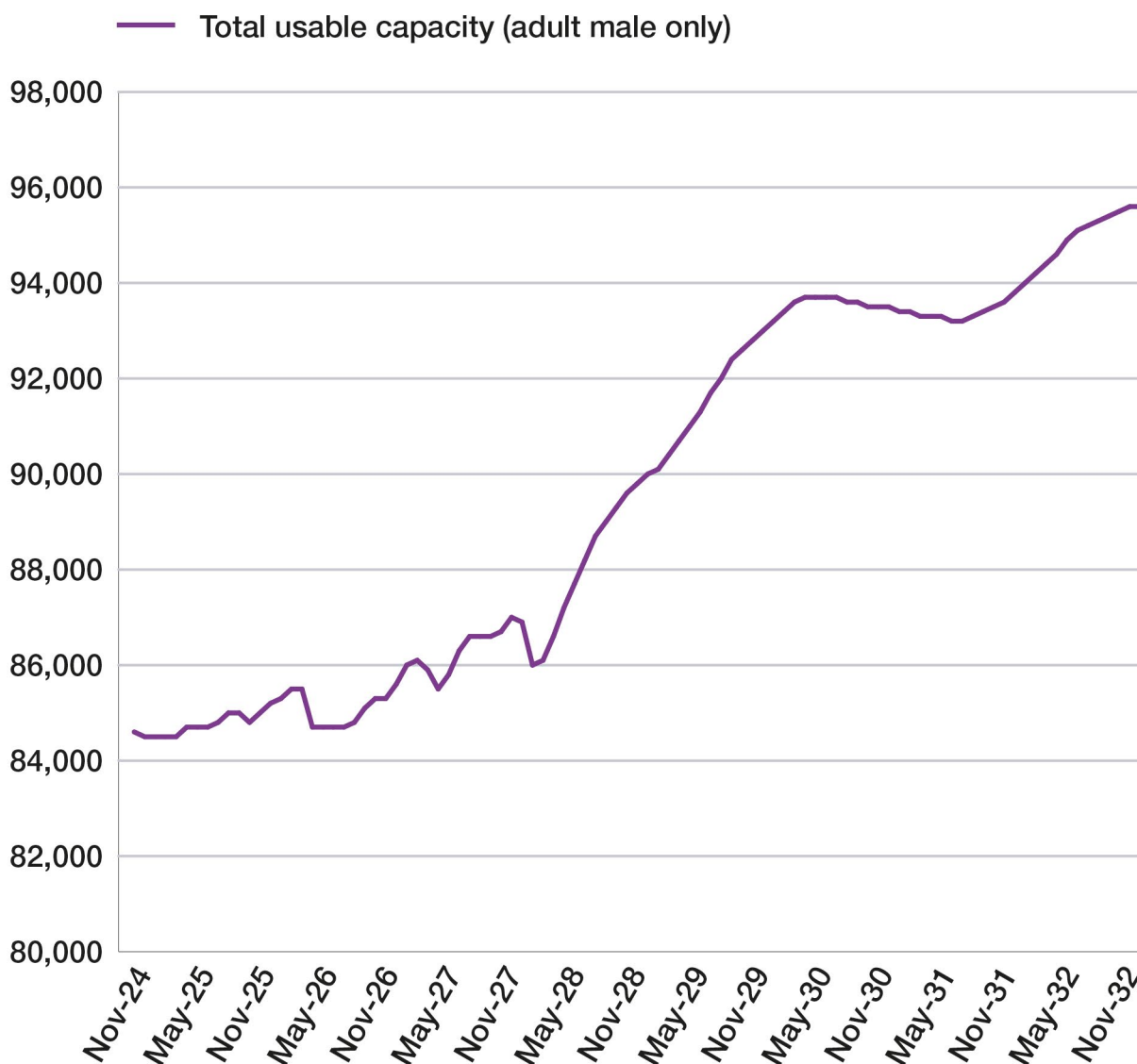


50	250	500	850	1,000	1,150	1,150	1,150
350	1,050	2,100	4,500	5,600	6,400	6,400	6,400
100	250	750	1,050	1,050	1,050	1,050	1,050
	1,600	1,600	1,600	1,600	3,300	3,300	6,500

10. The upfront capital cost per prison place is £500,000 per closed place and £400,000 per open or temporary place (2024 to 2025 prices). This represents an average and fluctuates across different projects. Future costs are likely to increase in line with inflation, and from wider economic and global activities that impact the construction market and supply chain. We will be reviewing the value for money of new places.
11. This government has also committed to reducing the number of women in prison. A new Women's Justice Board (WJB) will bring together external experts to share their experiences and provide a vision and direction on how to reform women's justice to deliver these goals. We will set out our plans in a new strategy for women in the criminal justice system in the spring.

Our supply schedule

Figure 3: Our supply line from November 2024 till November 2032. This is supply of prison places, not the population or demand for them.



12. Our supply schedule (Figure 3) represents the departmental plan for increasing prison supply and covers until November 2032. This is subject to a review of the value for money of building and running new prison places during the forthcoming Spending Review. We aim to construct 14,000 places by 2031. At this point, we expect that reforms following the independent Sentencing Review will have taken effect. However, as part of our regular processes to manage the estate, we will continue to review whether additional supply is required.
13. The supply line projects available prison places, including estimated capacity losses for maintenance and dilapidation. The supply line represents useable capacity and does not represent the expected prison population. Further detail can be found in the Annual Statement on prison capacity, published alongside this strategy.
14. This supply line is a projection and is subject to change, as it is inevitable that current plans will change to reflect operational realities, as well as new plans and projects maturing, particularly towards the end of the projection period. We have plans in place to mitigate the causes of the considerable delays that saw the last government miss its own target to build by the mid-2020s, as explained below. The projection will be impacted if some places close.

Planning permission and infrastructure reform

15. Prison builds are complex capital projects. Appealing planning refusals has delayed delivery of some projects. We have also seen increased costs as a result of a period of exceptional inflation, which has driven up the price of timber and steel. We have also seen increased construction sector insolvencies and supplier vulnerability to wider economic conditions in the construction market have also impacted delivery timelines. Each three-month delay to a new prison adds around £8 million in construction cost inflation.
16. This is why it is important to obtain planning permission, particularly for new prisons, in a timely way. In the past, this has been a costly and time-consuming process. Under the previous government, challenges securing planning permission have led to delays to prison building and drove up the cost of the overall programme. The new prisons in Lancashire, Buckinghamshire and Leicestershire were in the planning system for 40 months, 30 months and 29 months respectively. Without these delays, around 5,000 additional prison places would have been available in new prisons by early 2027.

Figure 4: A table to illustrate the delays to our delivery of prison builds

Planning delay	Cause and impact	Sites impacted
As a result of delays the Cat D expansion project at HMP Stanford Hill required around seven months to complete the planning process	<ul style="list-style-type: none"> Issues with LPAs not providing decisions in agreed timescales or requiring significant clarifications or additional review. Waiting for LPAs to approve pre-applications has caused delay, while at the other end of the process, resolving planning permission conditions imposed by LPAs has also had added time to applications. The Cat D expansion project at HMP Stanford Hill was delayed by around seven months through the planning process. 	Ford (Cat D) Kirklevington Grange (RDC) Holme House (RDC) Prescoed (RDC) Springhill Phase 1 (Cat D) Stanford Hill (Cat D) Lancaster Farms (Small Secure Houseblock)
Appealing planning permission refusals for three new prisons has added up to three years to decisions on outline planning permission.	Delays caused by deferral of post-appeal decision dates.	Three new prisons: Buckinghamshire (next to HMP Grendon) Lancashire (next to HMP Garth) Leicestershire (next to HMP Gartree)
In areas where nutrient neutrality advice is in place because nutrient pollution is adversely affecting habitat sites, new developments (which include overnight accommodation) need to mitigate for its nutrient impact. New developments of this kind need to either secure nutrient credits or other nutrient mitigation for planning permission to be granted. This issue primarily impacts on housing development, but prison developments have also been affected; resolving these issues has led to delays of six to nine months.	<ul style="list-style-type: none"> There are no live credit schemes in some catchment areas and agreeing mitigations has been time-consuming and costly. Mitigation needs to be sufficiently certain and robust before planning permission can be obtained. The projects at HMP Kirklevington Grange and HMP Holme House were delayed due to nutrient neutrality by around nine months. 	Kirklevington Grange (RDC) Holme House (RDC) Bure (RDC)

17. This government has committed to strengthening the approach in national planning policy to make it clear that significant weight should be placed on the importance of new, expanded or upgraded public service infrastructure (such as prisons) when considering proposals for development. This would encourage local planning authorities (LPAs) to take a more consistent and positive approach to our applications supporting delivery of a range of infrastructure including Approved Premises, which as a form of community accommodation has been historically difficult to agree through LPAs. The government intends to publish the response to the consultation and revised National Planning Policy Framework this year.
18. In this government's manifesto, we recognised that prisons are nationally important, so planning decisions will need to be made in a timely and proportionate manner. To that end, the Ministry of Justice will seek to secure planning permission for new prisons through the new Crown Development Route. This is a new streamlined planning route which enables applications for developments of national importance to be submitted directly to the Planning Inspectorate, allowing the Secretary of State for Housing, Communities and Local Government (MHCLG) to call in the case to make a decision. This route is expected to come into force in spring 2025. Planning is devolved in Wales. Therefore, we will also engage Welsh Government to see if there are any opportunities to streamline the planning process more widely for criminal justice infrastructure in Wales.
19. In some areas of the country, prison development proposals have needed to demonstrate no net increase to nutrients in the water as a result of our development (nutrient neutrality) in order to secure planning permission. While it is important that new prison development does not make the condition of our important sites for nature worse, this has been time-consuming and costly to resolve, adding significant delays at a number of sites which have resulted in increased delivery costs. The government is committed to implementing solutions to unlock sustainable development affected by nutrient neutrality, without weakening environmental protections. MHCLG is working closely with the Department for Environment, Food and Rural Affairs (Defra), alongside Natural England, to improve the approach to nutrient neutrality and resolve the lack of suitable mitigation options.
20. The Planning and Infrastructure Bill provides an opportunity to accelerate developments, such as prisons, by using the development to fund nature recovery where currently both are stalled. The government will only propose legislation where the measures will deliver positive environmental outcomes. As well as considering legislation, the government is continuing to boost the supply of local mitigation. Natural England's Nutrient Mitigation Scheme is continuing to expand and has already supplied nutrient credits to enable prison places in the Tees catchment area. In the budget, the government announced £45 million of funding to successful bidders as part of Round 2 of the Local Nutrient Mitigation Fund, alongside additional funding of £2 million to the 20 largest nutrient neutrality catchments. This allows local authorities to continue bringing forward innovative nutrient mitigation schemes so that sustainable development including prisons, may come forward in affected areas.
21. We are also working with the Department for Energy Security and Net Zero (DESNZ) on its engagement with Ofgem and the electricity network companies to reform the connections process. Power upgrades for prisons currently take two to five years due to lengthy waiting times, adding significant cost to the expansion projects, relying on temporary generators as a mitigation while we wait to be connected to utilities. Additionally, where wayleaves (a right of way granted by a landowner) are required to access private land, these must be negotiated which in some cases contribute to delays. DESNZ has made it a priority to review current land rights and the consenting processes and is doing this through its Land Access and Wayleaves Working Group. A response to the Call for Evidence on Land Rights and Consents was published on 2 December 2024.

Maintenance

22. The prison estate is aging and dilapidated. Over three in five (62%) prisons were opened more than 50 years ago, and over a quarter in the Victorian era or earlier. The low standard of accommodation, particularly in these older prisons, makes us vulnerable to sudden losses of capacity. The pressures of a rising prison population have meant that accommodation that was intended to replace dilapidated cells has had to be used to meet rising demand, requiring poor accommodation to be kept in use. Historic underinvestment in maintenance has exacerbated these issues making the estate vulnerable to sudden losses in capacity, for example, with the recent closure of HMP Dartmoor due to the presence of radon.
23. The Prison Estate Condition Survey Programme (PECSP) enables us to better understand the quality of our current estate. This survey has given us a powerful tool to predict the needed spend on maintenance over the next few years. We now know more about the condition of our estate than we ever have, and we are using that data to plan and prioritise future maintenance work.
24. We are investing £220 million in prison and probation service maintenance in 2024 to 2025 and up to £300 million in 2025 to 2026, to keep prisons safe and secure. We will commit to undertaking critical maintenance work to:
 - reduce loss of prison places. The estate is vulnerable to dilapidation, where individual cells – or whole buildings – are removed from use, either temporarily or permanently, due to conditions or supporting structures no longer being viable.
 - allow prisons to hold offenders safely, securely, in decent conditions and provide rehabilitative regimes. This includes making sure our cells are safe from fire. Poor prison conditions have been associated with increased violence, worse wellbeing and increased reoffending.

Challenges to delivery

25. Large building and infrastructure projects can be uncertain. The construction market has been impacted by external factors such as inflation and the effects of ongoing global conflicts, reduced capacity in the construction market as a result of business failures, the challenging trading environment of supply chains and most recently by the administration of ISG and ESS, who were involved in the construction and maintenance of many of our prisons, as well as projects to improve fire safety.
26. In total, around 3,700 places across 16 projects in pre-construction or construction in the prison build programmes have been impacted by the collapse. In addition, ISG were contracted to deliver 54 capital maintenance projects, including fire safety improvement projects on around 4,000 prison places across the estate. The initial assessment of the impact to timelines ranges from three to 18 months' delay for affected maintenance and prison build programmes. As above, we also encounter challenges to our build projects through hurdles including planning permission and utility upgrades to ensure we have sufficient energy to power our prisons.
27. To mitigate against economic shocks and ensure resilience, robust contingency plans will be put in place. This includes developing contingency sites so that if at any point a project becomes undeliverable or poor value for money, it can be replaced with a better option.
28. This government will also ensure that all cells in the custodial estate are made fire safety compliant. This involves a full rollout of modern fire detection equipment, including installation of wired and automated fire detection, suppression, and smoke extraction equipment.

Building the digital foundations

29. We also need to seize the opportunity to build a foundation of digital and technical capabilities across the estate, which in turn will help our prisons to run more efficiently and reduce the administrative burden on staff.
30. At present, only 17 of our 103 public sector prisons have Wi-Fi across the non-residential areas to enable staff to work flexibly and to support productivity. This government will invest in digital infrastructure across the existing estate and ensure that it is included in the development of new prisons.
31. Our in-prison IT systems are also outdated and no longer fit for purpose. With the right infrastructure foundations in place, we can continue to develop modern digital platforms and services for frontline staff to better manage offenders. This government will focus on the rollout of the Digital Prison Service to provide a new set of modern digital services replacing the outdated legacy system that staff use to manage and record data on offenders.
32. Improving the infrastructure and building modern digital systems will help to:
 - increase the productivity of staff by improving their ability to access digital tools on-the-go
 - streamline activities and enable staff to better target their limited capacity by automating manual processes – our prisons still use over five million sheets of paper per month across the country
 - improve data-driven decision-making by connecting data across systems, making vital information more accessible to staff to support the management of offenders, including capacity management
33. We are also investing in technology which is saving staff time by enabling prisoners to carry out their own administrative tasks, such as topping up phone credit and meal ordering. This government is committed to putting technology at the heart of our prison estate and services. With digital infrastructure and basic digital and technology foundations in place, we can be more ambitious in the use of newer technologies, such as artificial intelligence. We are investigating opportunities for these technologies to further improve intelligent estate management, staff productivity and surveillance and security. These initiatives will be developed in parallel to innovative approaches to technology-enabled community sentencing and licence conditions, for example through greater use of tagging and strict monitoring of offenders.

Acquiring land for further expansion

34. In delivering additional prison places, we have expanded our plan to build in over half the prisons across the existing prison estate. Despite the fact that demand for prison places is projected to outstrip supply over the next 10 years, the MOJ currently does not own any parcels of land that would be suitable for new prisons beyond those already planned. The last government acquired no new land between 2014 and 2024, which has meant there are now no new uncommitted sites in our pipeline. This government has an ambition to secure new land in readiness should further prison builds be required in future.
35. Buying new land could allow us to capitalise on planning reforms, to start to build new prisons faster. It could allow us to buy optimal sites, and work across government and with local authorities to consider prison building in long-term strategic development plans.

Conclusion

36. The previous government promised 20,000 prison places by the mid-2020s. This strategy has highlighted the failure to deliver that. We will deliver 14,000 prison places and aim to do so by 2031, invest in maintenance to reduce dilapidations and improve safety, introduce planning legislation to remove barriers for new build prisons and work towards our ambition to secure new land.
37. In July 2024, this government inherited a prison system on the point of collapse. During the summer of 2024, the system came within a few days of overflowing, which would have ground the criminal justice system to a halt, seen trials cancelled and the police forced to halt arrests. This government must, and will, build the prison places the last government promised but did not deliver. Doing so is necessary to addressing the capacity crisis in our prisons, but not sufficient. This strategy comes alongside the independent Sentencing Review, led by David Gauke. By taking action, this strategy will ensure that we never again find ourselves with more prisoners than space in prisons.

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