

# The Prisons Handbook 2023

*“An incredible  
reference book on  
Prisons; I keep a copy  
in my top drawer and I  
refer to it frequently”*

Director General  
HM Prison Service

EDITOR  
**MARK  
LEECH**

Foreword By  
Chief Executive  
of The Howard  
League for Penal Reform  
**Andrea Coomber**

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# The Prisons Handbook 2023

## Twenty-Fourth Edition

*The Definitive Annual Guide to  
Prisons in England and Wales*

Editor  
Mark Leech



[www.PrisonOracle.com](http://www.PrisonOracle.com)

# The Prisons Handbook 2023

TWENTY-FOURTH EDITION

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**Map of Prison Service Establishments**  
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# Mark Leech FRSA

## Editor: The Prisons Handbook



Mark Leech was taken into 'Care' at the age of 8 and like many Care-leavers he later became involved in crime serving 14 years in a prison career that was characterised by roof-top protests, riots, and successful Supreme Court legal cases that changed British prison law.

While in prison Mark wrote a series of feature articles on the prison system for The Guardian newspaper, for whom he still writes today, and he also wrote three award-winning plays – "The Facts Speak For Themselves", Directed by Ned Chaillet for BBC Radio 4's *Saturday Night Theatre*, won him the BBC Radio Drama Award.

Mark was released from prison in March 1995 and has since then risen to become the country's foremost ex-offender expert on the policy and practice of the penal system.

Mark is the founder and former Chief Executive of the award-winning national charity for people with convictions UNLOCK, he is the Managing Editor of The Prisons Handbook, the Editor of *prisonoracle.com* the definitive prisons website and the Editor of *Converse*; the largest

circulation national monthly prisons newspaper. Mark is the Editor of Prison Law Index, the definitive annual A-Z guide to prison law, the 6th edition of which - along with the 6th edition of his best selling 'Cell Companion' everyone's guide to serving and surviving a prison sentence - are both published in November 2022.

Mark is the Director of The Institute of Prison Law, whose acclaimed Certificate of Competency in Prison Law is the only one of its kind, he is an elected Fellow of the Royal Society of Arts and a member of the National Union of Journalists.

In 2018 Mark's investigation "*Grenfell Prisons*" into fire safety, revealed how every prison inspected by the Fire Regulator in 2017/2018 had failed every inspection - a fact that had not previously been made public.

A welcome by-product of his August 2017 investigation into the Prisons Inspectorate, published in The Independent revealing how the vast majority of the Prison Inspectorate's recommendations were being routinely ignored by prisons, saw an *Urgent Notification* Protocol signed between the Ministry of Justice and the Inspectorate ensuring public accountability for failing prisons by the Justice Secretary.

Today Mark lives with his partner and their two children among the beautiful mountains of Northern Thailand.

Outside of work his interests are in aviation – Mark is a qualified helicopter pilot.

### What people say about Mark Leech

*"A thoroughly offensive, dangerous and disruptive man"*  
John Thompson, Governor, HMP Dartmoor 1985

*"One of the most sensitive, resourceful, humane, energetic, intelligent, dynamic and tenacious prisoners I have ever met"*  
Roger Kendrick, Governor HMP Glenochil 1995.

*"I consider myself very lucky as Director General to have had you around, I consider you not only as a colleague but also as a friend"*  
Sir Martin Narey, HM Prison Service Director General, 1998-2005

*"One of the sanest and best informed commentators on prison issues."*  
Phil Wheatley, HM Prison Service Director General, 2005-2010

*"One of the very best speakers on the prison system his knowledge and experiences have given him answers to those questions other so-called 'experts' can only guess at."*  
Baroness Scotland QC, HM Attorney General 2005-2010



**EDITORIAL: MARK LEECH FRSA  
THE PRISONS OMBUDSMAN:  
*Cause For Complaint?***

**Any Prison Complaints process:  
“...must be independent,  
and be seen to be so.”**

Thus, wrote Lord Woolf at paragraph 14.309 of his landmark Report into the Strangeways Riots of 1990.

Harry Woolf's was a Report that gave birth to the Office of Prisons Ombudsman but today, over 30 years later, I ask how truly independent can this vital Office really be *seen* to be, when its last two substantive occupants have, between them, spent almost 50 years employed by the very same Prison Service they were, as the Prisons Ombudsman, expected to subsequently independently investigate?

In this Editorial last year, I turned to the subject of The Prisons Ombudsman and particularly deaths in custody; I make no apology for returning to this subject again this year - if only for the fact that the last Prisons Ombudsman also briefly (blink and you would have missed it) repeated this year in her annual report exactly the same criticisms she made last year and which once again remain unaddressed.

But, more importantly, I return to the subject of the Prisons Ombudsman because as I write this, in September 2022, we stand on the cusp of what could be either a new dawn in the Office of Prisons Ombudsman – or which is perhaps more likely (and why I return to the subject again) more of the same pathetic failures where yet another candidate carefully selected by the Justice Secretary and viewed as a safe pair of hands on the Prison Ombudsman's helm, is advanced as the 'preferred candidate' to the Justice Committee who, bless them, will once again go through the motions of providing a veneer of independent scrutiny to the selection process of the next Prisons Ombudsman before rubber stamping the appointment however inappropriate the candidate is obviously seen to be.

On 1st July 2022 Sue McAllister, the Prisons and Probation Ombudsman since 2017 retired and we now stand at the door and wait the appointment of her successor; a new substantive Prisons and Probation Ombudsman who, hopefully for the first time since June 2011, will be seen to be truly independent.

It is vitally important to remind ourselves why we have a Prisons Ombudsman (the 'Probation part of the title came later) and

from what ashes of destruction this Office was created. More saliently why, going forward, the diminution of its reputation over the last decade has to stop - or why we instead risk a repetition of the chaos that led to creation of the Prisons Ombudsman in the first place.

Let's take a step back over 30-years in time.

On Sunday 1st April 1990 Strangeways Prison in Manchester, which was then the largest prison in England and Wales and one of the largest in Europe, exploded in an almost month-long orgy of violence, destruction and death.

The riot, which spread to five other prisons (Glen Parva (soon to reopen as Fosse Way), HMPs Dartmoor, Cardiff, Bristol and Pucklechurch (now rebuilt as HMP Ashfield) lasted for 25 days and was the longest prison riot in British prison history – and, at £60million in 1990 figures, was also the most expensive.

The Strangeways series of riots lead to the establishment of the Woolf Inquiry (a copy of whose Reports can be found on The Prison Oracle - <https://prisonoracle.com>) that concluded, for the most part, that the riots were the result of appalling overcrowded, insanitary, brutalising prison conditions and a complaints process that was nothing more than a joke in appalling bad taste.

These conditions, said Woolf, were exacerbated by the failed complaints system which meant prisoners felt they had no independent, fair or legitimate means to obtain redress of their complaints – leading them ultimately to ventilate their grievances by writing them on bedsheets draped across riot-torn prison rooftops for the public, rather than on paper for the Governor in whom they had no confidence at all.

The Strangeways series of riots was a catalyst for change, a turning point that demonstrated like no other that prisoners refused any longer to be mistreated, no more would their complaints be ignored, ripped up and ridiculed, never again would they be forced to urinate and defecate in plastic pots in overcrowded Victorian prison cells designed for one person and into which three people were crammed living with the stench of their human waste for up to 23 hours a day.

Never again.

Woolf accepted that the system of prisoner complaints had to change, accepting that nothing was more likely to cause unrest among ordinary prisoners than a sense that they had been treated unfairly and had no effective, independent, means of redress.

Woolf therefore recommended that a prisoner complaints system must be introduced which had a truly independent element to it, one

in which independence existed not only in theory but more importantly was *seen* and accepted to be truly independent in practice too.

Here is what Woolf said – the numbers are the appropriate paragraph numbers in his Report:

**14.297** ....*Within a prison in particular, it is an important requirement of justice that justice should not only actually be done but should be seen to be done. It will not be seen to be done ....if there is not, at least at the final stage of the process, recourse to an independent element.*

**14.309.** *If a grievance procedure is to be of value, the procedure must... iv) be independent. And it must be seen to be so.*

**14.351** [By independent we mean] *"The person appointed would need to be someone of independence and standing."*

**14.345** ... *the presence of an independent element within the Grievance Procedure is more than just an "optional extra". The case for some form of independent person or body to consider grievances is incontrovertible. There is no possibility of the present system satisfactorily meeting this point... A system without an independent element is not a system which accords with proper standards of justice.*

So just how 'independent' then is independent?

'Independent' is a word that is used for a specific reason, with a clear and very well-understood meaning.

I start from the very basic position that the word 'independent' means *exactly* what it says.

It is a word that is not open to interpretation, personal intuition, gut feelings, hairs on the back of the neck, we are all very well aware of what it means, it is defined in the Oxford English Dictionary as "*disconnected, not influenced by something*" and so it contains no ambiguity; moreover, we recognise when something is *seen* to be independent – and we can often spot a mile off too when something that is claimed to be independent just isn't *seen* to be truly independent at all.

Independence is not just a clever form of words, used to gloss over a situation or course of events, it does not exist to give the false impression that justice is being done, that something is at arm's length when it's actually seen to be in the pocket: rather independence is a *state of mind* and people who are part of the whole process that leads to an independent public appointment all have to possess it – or it fails in its entirety.

In my view the current system of Prisons Ombudsman is not one that passes the 'independence' test at all.

I impute no bad faith in respect of any of the individuals who have held the Office of Prisons Ombudsman but the fact is that whilst the first two substantive occupants of the Office, Sir Peter Woodhead and, later, Dr Stephen Shaw, were indeed *seen* to be clearly independent – having no previous employment relationship with the Prison Service – the same cannot be said of those who followed and who, between them, had around half a century of Prison Service employee experience; that, in my opinion, completely fails the crucial test of being *seen* to be independent.

Nigel Newcomen, who was Prisons Ombudsman from June 2011 to July 2017 was employed by HM Prison Service for 21 years, rising within it to the rank of Assistant Director.

Following Nigel Newcomen as substantive Ombudsman was Sue McAllister who previously not only spent decades working for HM Prison Service as a Prison Governor but who subsequently later became Director General of the Northern Ireland Prison Service before becoming Prisons Ombudsman on the mainland.

Throughout Mrs McAllister's whole tenure as Prisons Ombudsman her son, Daniel McAllister, was a serving Senior Prison Officer in HM Prison and Probation Service (which she disclosed at her pre-appointment scrutiny hearing with the Justice Committee and which at that point ought to have ruled her out as a candidate for the post completely but didn't) and, more than that, Mrs McAllister's husband, Danny McAllister, was himself a former Director of the Prison Service – which was never mentioned during the Justice Committee hearing at all.

Again, I impute no bad faith – the fault here lay jointly with Mrs McAllister in believing that with her background and continuing close personal family associations with the Prison Service that she was ever suitable for the post but, by far the most censure has to be directed at the Justice Committee in their decision to approve her appointment; they must have known (and if they didn't they ought to have done) that she was, with her background and disclosed current and personal family associations with the Prison Service, never the right person for the post in a million years.

I repeat, I impute no bad faith, but how on any view can those facts ever amount to being '*seen*' to be independent?

Remember what Woolf wrote:

**14.309.** *If a grievance procedure is to be of value, the procedure must... iv) be independent. And it must be seen to be so.*

Perceptions matter – lest we forget, it was the perception of prisoners at Strangeways

prison that they had been treated unfairly and had no effective means of redress that led to the riot in the first place – and subsequently the creation of the Office of Ombudsman.

The Prison Ombudsman not only deals with complaints about such things as lost property but, more importantly, it is an Office also charged with investigating each death that occurs both in custody and those deaths that take place a short time after release.

It is here, in this most important aspect of their work, that the failings of the Prisons Ombudsman are the most clear and gross.

When a prisoner dies in custody or immediately after release the Ombudsman is notified and they commence an investigation into the death of the individual in the expectation, it is claimed, that the Prison Service or Private Sector operator can *learn lessons* from how it happened, what the response to it was and, where it is deemed appropriate, make recommendations to reduce the chance of the same identified errors being repeated again.

It is a forlorn hope.

The transparency of the *independent* Prisons Ombudsman is flawed from the start when it comes to deaths in custody.

The fact is that while the Prison Ombudsman is made aware of every death in custody, it is something they keep strictly to themselves; I thought it was only in China or North Korea that people died secretly in prison but the facts show that it actually happens here too.

Neither the Ministry of Justice or the Prisons Ombudsman proactively announce that a prisoner has died in the custody of the State – instead the public has to wait until a journalist is told about the death by a member of staff or a prisoner's family before the Ministry of Justice reluctantly admits to it – but this is information any independent Prisons Ombudsman should release as a matter of course - and it could easily be done without prejudicing their investigation, the Inquest or distressing the next of kin with a simple announcement along the lines of:

*"Today, in HMP Somewhere, a 34-year old convicted male prisoner died. We are conducting an investigation into the circumstances of this death, we have attributed the reference number F123456/2022 to it, and will issue a report under that reference number in due course."*

What would be wrong with that?

Instead they say nothing.

Absolutely nothing at all - and they steadfastly refuse to do so.

That silence is not the action of a Prisons Ombudsman *seen* to be independent of the State. Rather this silence is indicative of an organisation that bears on its face all the classic

hallmarks of a Prisons Ombudsman that is in cahoots with the State from whom it ought to be seen to be at obvious arm's length – but is instead viewed as being in its pocket.

When it comes to investigating deaths in the custody of the State, what have we learnt?

Little or nothing at all - and certainly nothing that has made real changes.

For donkey's years, the Ombudsman has been making exactly the same recommendations in published death in custody reports, directed at exactly the same prisons, concerning the deaths of prisoners in identical circumstances and which are claimed to be made in the name of 'learning lessons' – but the truth is no one takes a blind bit of notice of them at all - and this is not just me saying this, successive Ombudsmen have, quietly, made the same complaint.

It is not uncommon for exactly the same death in custody recommendations to be made six times or more to exactly the same prison, in exactly the same deathly circumstances and for those recommendations to be ignored in exactly the same way each and every time – and the Ombudsman does nothing but write polite letters to another *Sir Humphrey* as any civil servant would be expected to do, but nothing more and nothing changes.

In each and every death in custody report the Ombudsman makes the same glib disingenuous statement that *"I offer my condolences to the deceased's family and friends"* – excuse me?

No, you don't - and nothing like it.

If the Ombudsman genuinely meant this expression of condolence they would take a stand and refuse to accept the ignorance of their recommendations – and if they had the courage they would take further action too.

For a start, they would put in place a mechanism for monitoring the implementation of their recommendations, but no such mechanism exists.

We have Independent Monitoring Boards in every prison, with whom the Ombudsman could and should if they so desired arrange virtual conferences every quarter, to obtain first-hand reports and feedback from these 'monitors' as to how the Ombudsmen's death in custody recommendations were being implemented in that establishment – or more often not implemented, as the case may be.

But the truth is such meetings never, ever take place.

The Prison Ombudsman's Office has told me personally that they rely on a visit every four or five years from the Prisons Inspectorate to assess whether their recommendations are

being implemented in any particular prison – by which time it is too often a lifetime too late for those who have died in the meantime and in circumstances that had the recommendations been implemented may well have been saved.

In establishments that persistently ignore death in custody recommendations the Ombudsman could arrange an *Urgent Notification* protocol, exactly the same as that enjoyed by the Prisons Inspectorate, in which they could issue a public letter setting out which prison is persistently ignoring their death in custody recommendations and demand action that is made public by the Justice Secretary within 28 days; but not a bit of it.

This is precisely what happens when you appoint career Civil Servants to an Independent watchdog role.

Individuals, who no doubt have the best of intentions, find themselves torn and conflicted between doing what I suspect they know is necessary but which would if actioned cause public embarrassment to the very body they have spent their entire careers being groomed by to behave in a Civil Service sort of way; so they shut up, say little or nothing – because, well, after all, it's not their loved one who is dangling dead at the end of a bedsheet is it?

Any *independent* Ombudsman worthy of the title, charged with investigating deaths in the custody of the State, whose recommendations were consistently ignored, would surely say *enough is enough*, publicly stand up, resign and walk away; but I can never see that happening.

Instead their recommendations continue to be ignored and all the Ombudsman has been seen to do is to make a nod towards that ignorance in their annual reports with what appears to me to be semantic frustration.

In the Annual Report of the Prisons Ombudsman for 2019/2020 the Ombudsman wrote of the failure to implement their recommendations:

*"We remain frustrated at the number of repeat recommendations we have to make, sometimes where changes have been promised (in an action plan from the prison or from HMPPS HQ) but not delivered."*

In the Annual Report of the Prisons Ombudsman for 2020/2021 the Ombudsman wrote of the failure to implement their recommendations:

*"This remains a key challenge for us as repeat failings, and the associated need to make the same recommendations in response to what we find, continue to frustrate our work."*

There is another deeply troubling aspect to the operation of the Prisons Ombudsman and it is this; the Ombudsman's failure to refer cases of seriously defective

healthcare provision to the appropriate regulatory authority - such as the General Medical Council or Nursing and Midwifery Council.

In those death in custody cases where the investigation by the Ombudsman's independent Clinical Reviewer reveals the standard of healthcare provided in an individual case was so low as to be professionally unacceptable, the current practice of the Ombudsman is **not** to refer those cases to the regulator themselves but, instead, to pass-the-buck by asking the prison's Governor if they will do it - and what's more, thereafter the Ombudsman never bothers to check back to see whether the referral has in fact been done at all.

It is wrong, in so many ways, to expect a Prison Governor to "Grass up" one of his staff in this way. All Governors need to carry their staff with them on a daily basis and it is unfair to say the least to ask a Governor to do this and deal with the industrial fall-out such a referral would inevitably bring with it.

The Prisons Ombudsman needs to take ownership of their Report and its findings; not pass the buck. They should themselves refer cases to the professional regulatory authorities and allow those bodies the opportunity to consider for themselves if it is necessary to root out and remove individuals from healthcare practice where their conduct has resulted directly or indirectly in the death of another person.

Will the next Prisons and Probation Ombudsman do any better?

Time will tell.

My hope is that when I write this editorial next year I will be able to record that, for the first time in well over a decade, we have in post a Prisons Ombudsman totally independent of the Prison Service - and prepared to stand up to it.

An Ombudsman who has the courage to demand action when death in custody recommendations are ignored, one who understands that '*independent*' means exactly what it says - and one who would rather walk away than be a part of a corrupting system where '*independent*' means *staying inside the tent* whatever the cost in human life may be.

Mark Leech FRSA  
Chiang Mai  
Thailand.

September 2022

**TWENTY-FOURTH EDITION (2023):** The Prisons Handbook is the definitive annual guide to prisons in England and Wales that has always won outstanding reviews for its sheer scale, clarity and dependability. This fully updated 24th annual edition has a 664 page A-Z section of all prison establishments in England and Wales, based on the very latest Independent Reports, and eight further sections that include a comprehensive 26-chapter advice section authoritatively spanning reception right through to release; a directory of organisations; a fully revised Legal section compiled by expert Barristers; analytical articles with one from a doctor turned prisoner turned campaigner who examines prison healthcare; the latest Annual Reports with specific further sections for prison governors and staff, along with all the latest facts and figures, including Parliamentary Questions, FOIA's, Deaths in Custody, Awards & Prizes and much more too.

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**MARK LEECH FRSA** is the Founder and former Chief Executive of the national charity, UNLOCK. Prior to his release in 1995 he spent almost 20 years in 62 of Britain's prisons where his experiences made him a passionate spokesman for penal reform where, from his jail cell, he wrote feature articles on prisons for *The Guardian* newspaper. Mark has been Editor of *The Prisons Handbook* since its first edition in 1995; in 2003 he also became its publisher. Mark is also the Editor of *The Prison Oracle*, the definitive prisons

website; *The Cell Companion*, the #1 bestselling annual guide to serving and surviving a prison sentence in England and Wales; *Prison Law Index*, the acclaimed annual reference book on Prison Law, and he is also the Editor of *Converse*, the largest circulation national monthly prisons newspaper. Today Mark lives with his family in beautiful Northern Thailand and, outside of work, his interests are in aviation; Mark is a qualified helicopter pilot.

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