



HM Prison &
Probation Service

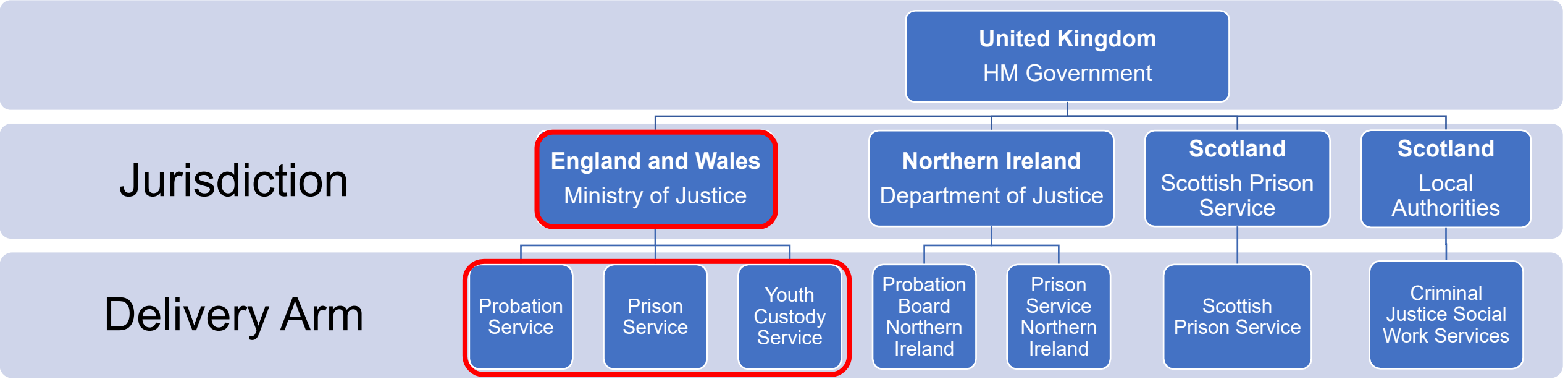
Capacity Management for Prison and Probation in England and Wales

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Preventing victims by changing lives

UK Jurisdiction and Prison and Probation Structures



Role of the Prison and Probation Service – England and Wales

Probation Service

- The role of the Probation Service is supervising offenders serving community sentences or released into the community from prison.
- Probation Officers keep the public safe by assessing and managing risk in the community, meeting with people they supervise and signposting them to services, providing information to courts to inform sentencing, and managing recalls to custody.
- Probation Practitioners support people on probation and manage public protection through the delivery of rehabilitative activities such as Accredited Programmes, needs based intervention and supervision of control measures.

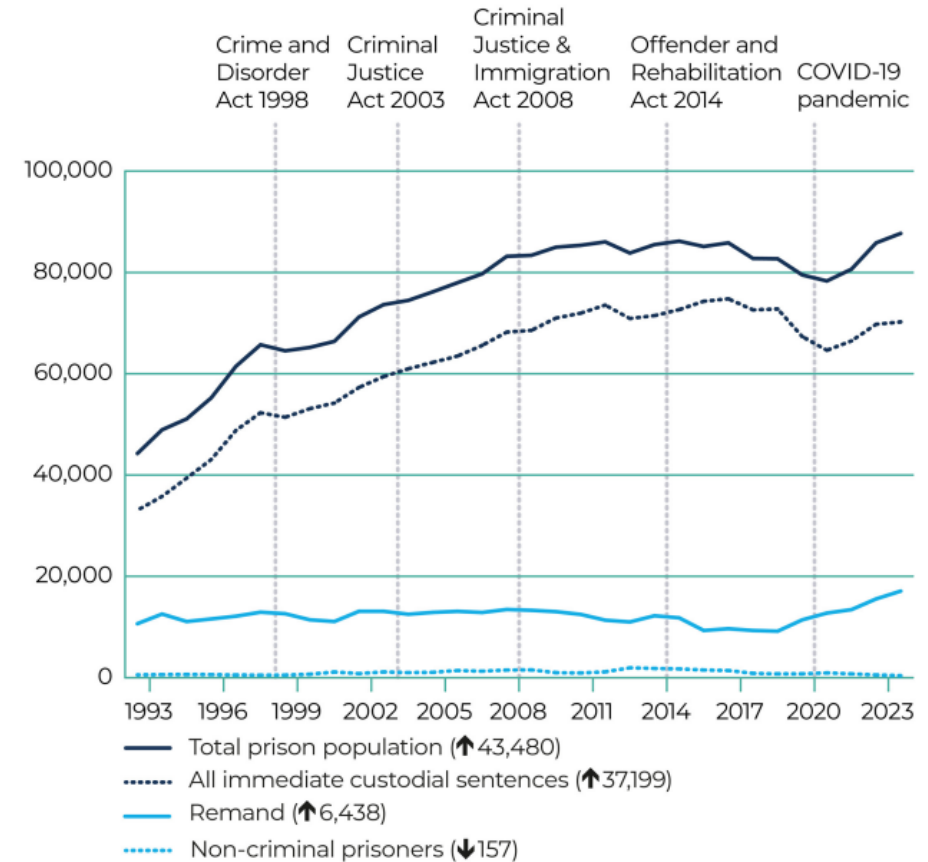
Prison Service

- The Prison Service supervises people in prison sentenced to custodial sentences, delivering punitive elements of their sentence, rehabilitative activities, and pre-release preparation.
- Prison Officers keep the public safe by supervising and managing offenders in custody. They support vulnerable individuals and take on multiple roles informally (peacekeepers, teachers, counsellors)
- There is crossover between prison and probation roles in the importance of building strong professional relationships with those they work with. Some Probation Officers work in prisons, closely linking prisons and probation.

The Prison Capacity Challenge

- Currently there are 123 Prisons (16 privately run) holding 87,334 prisoners (at 30th June 2025) in an aged estate with significant maintenance requirements.
- The Closure of Prisons Order was introduced in 2014 to “modernise our prisons, bring down costs”. This order closed 7 Prisons, continuing the trend of removing older establishments from the estate to be replaced by modern prisons.
- Between 2010 and 2023, 10,680 places had been permanently closed while 10,987 had been opened, a net gain of 307 spaces.
- Average custodial sentence has increased significantly in the past decades leading to an overarching growth in prison population.
- The Independent Sentencing Review 2025 attributes this trend to the political narrative of ‘tough on crime’. They cite; a decline in Community Sentences, an increase of people on licence, more recalls to prison while on licence (14% of the current prison population) and overuse of short custodial sentences, as a cause for this rise.

Prison Population by Custody Type between 1993 and 2024



The Prison Capacity Challenge Builds

Prison 'Red Lines'

- Operational limits in the prison estate (often referred to as 'red lines') were first set and agreed with Ministers in 2022.
- Red lines enable a clear set of boundaries, providing clarity to staff, Ministers and Government. These allow HMPPS to operate the estate consistently with our obligations and in a way which is safe and does not risk significant instability.
- It assists in managing pressures to ensure the safety of staff and prisoners, this includes restricting crowding to limits it has assessed as safe.
- The prison operational limits have a strong legal basis, relying on the Secretary of State's statutory duties, and the thresholds for these lines are supported by robust and transparent data and evidence.
- Further detail on the above is available in the [Independent Review of Prison Capacity](#)

Agreed Prison Service 'Red Lines'

Essential maintenance required to meet our statutory obligations must continue for example fire safety upgrades.

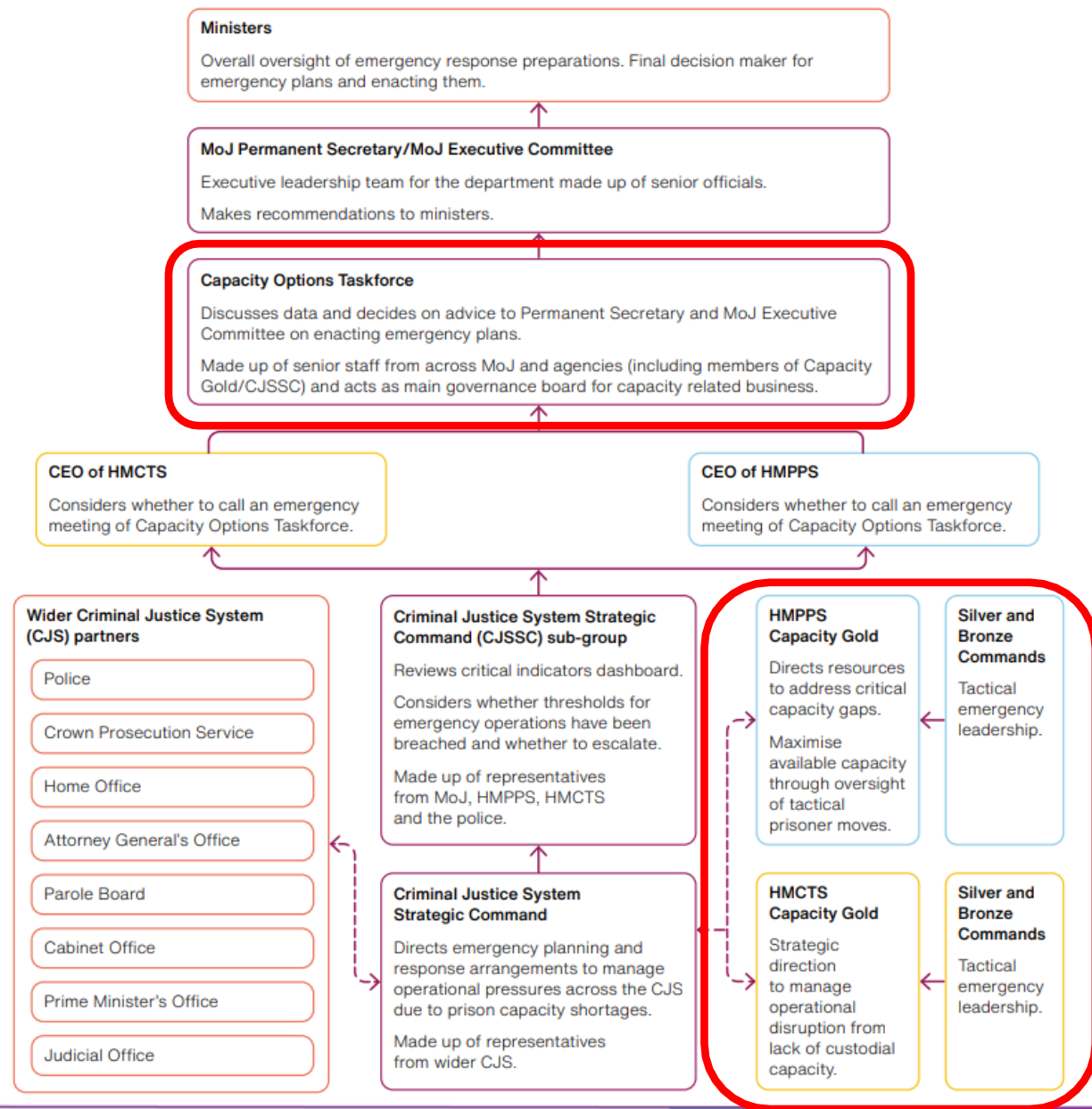
Contingency crowding is capped at the maximum viable level, set through established processes by HMPPS to ensure we meet European Convention on Human Rights expectations.

Ensuring that all prisons are staffed to at least 80% to allow full use of capacity.

C.500 places are reserved for emergency access in case of unplanned loss of capacity such as sustained loss of water or fire damage.

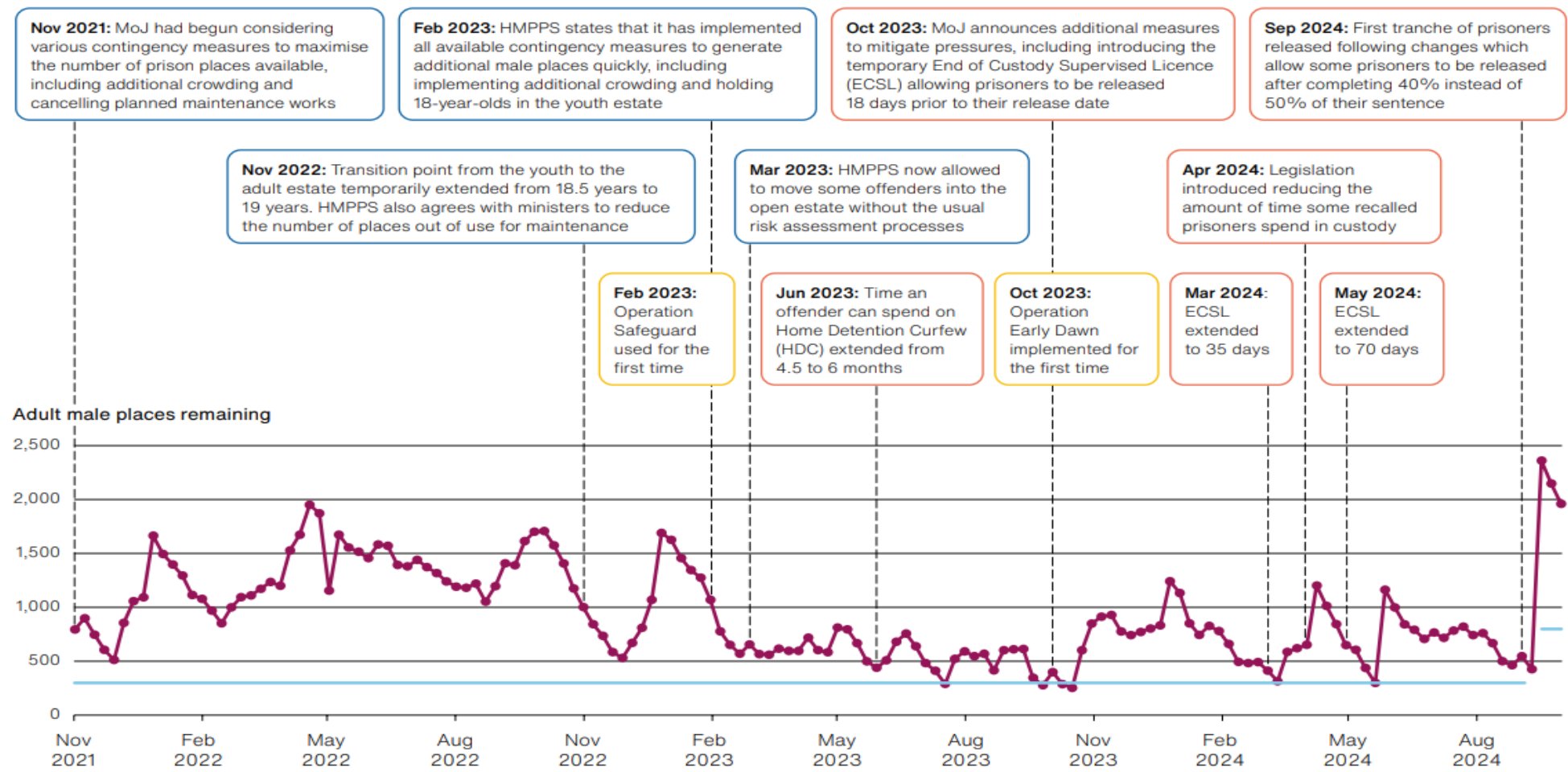
The Prison Capacity Challenge Builds Governance Structures

- To respond to the capacity challenge, the Ministry of Justice (MoJ) and His Majesty's Prison and Probation Service (HMPPS) established governance structures.
- Through these governance structures, MoJ developed measures, processes and clear trigger points for escalating short-term capacity decisions.
- The Capacity Options Taskforce focussed on strategic decisions across prisons, probation and key stakeholders to assist with setting direction.
- The HMPPS Capacity Gold structures were established to monitor and manage capacity to a local level.
- Behind these were teams of policy/operational/legal experts who took forward fast paced policy change work to respond.



The Prison Capacity Challenge Builds

Bridging Measures – Timeline



Probation Capacity

- The Probation Service has been through successive organisational change over recent decades including part privatisation and re nationalisation in 2021.
- Recruitment and retention have been key challenges since this time despite high numbers of trainees. Recently His Majesty's Inspectorate of Probation (HMIP) commented:
 - “the influx of new and inexperienced staff has placed pressure on managers and the already-strained probation officer grades, who are tasked with mentoring and supporting learners. Despite the recent recruitment efforts, inspections have consistently shown that many probation delivery units (PDUs) remain understaffed, with significant geographical disparities in staffing levels across England and Wales.”
- The changes combined with Covid have led to significant backlogs in delivery and a training and capability challenge. These issues were exacerbated by increasing caseloads resulting from prison capacity measures and the pressure of system change relating to the capacity measures being delivered.
- A Probation Service under strain does not run out of “space” in the same way a prison runs out of beds. For Probation, the deterioration is demonstrated by drops in service quality and its impact on rehabilitation. This makes “red lines” harder to draw for the Probation Service.
- The Lord Chancellor (the elected Secretary of State for the MoJ) has statutory obligations in the Offender Management Act, stating they are responsible to provide suitable resource for the management of Court Orders or post release licence conditions. The delivery of this is set out in policy detail rather than law making this less visible and more flexible. In contrast, for the prison service, the Lord Chancellor has a legal responsibility for the care of people in Prisons with detailed legislative frameworks defining their obligations.

Probation System Response – “Reset” and “Impact”

The Probation Service needed urgent capacity release to support the steps taken to manage the custodial challenges.

Probation Reset implemented in July 2024 means that staff prioritise early engagement and supervision in the first two-thirds of an offender’s sentence, a critical period during which probation staff can have the greatest impact on public protection and reducing reoffending.

After the two-thirds point, those cases which are not exempt are moved to reactive management – that is they are not actively supervised but can be reactivated based on any new information received or a change in risk by the offender.

So far, we have seen a reduction in appointment volumes with less high-risk cases, and an increase in appointments for the very high-risk cases (Tier A); as staff are able to prioritise the cases that need the greatest supervision.

‘Impact’ is a new approach (started in April 2025) focussing on the lower risk cohort of people on Probation. This follows the same principle of Probation Reset, focussing on early intervention, but removes the supervision earlier. The interventions are focussed on need rather than behavioural change e.g. accommodation and employment that are evidenced to be more impactful with this cohort of people.

The Future - Strategic System Response

The Independent Sentencing Review by David Gauke was commissioned to provide proposals for the government to consider in respect of addressing the pressure in Prisons and Probation.

The response to this has been framed in the Sentencing Bill 2025 that was laid in Parliament on 2nd September 2025 and anticipate to come into force from spring 2026.

Key parts of the Sentencing Bill include:

- A move away from short sentencing with a drive towards greater use of community disposals including expanded use of suspended sentences.
- Reduced time in custody for Standard Determinate Sentences (33% of original Standard Determinate Sentence – dependent on good behaviour) as part of a custodial period but with more intensive restrictive supervision on release.
- More restrictive requirements in sentencing and when on post release Licence, for example driving bans and restrictions on travel within the UK.

There is intensive work under “Our Future Probation Service” to deliver the changes in the Bill for Probation, but to further develop the changes required in the system to cope with the additional resource requirements of the community. This includes the delivery of efficiency measures through improved use of digital tools such as Artificial Intelligence.