

No place for old men

**The rising number of older men in
prisons in England and Wales**



Louise Ridley
Senior Lecturer in Criminology
Northumbria University
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Supporting the voluntary sector
working in the criminal justice system

About the author



Louise Ridley is senior lecturer in Criminology at Northumbria University. She previously taught criminology at the University of Teesside for 15 years. Before this Louise worked in a variety of different organisations providing support to vulnerable groups of people. She has interests and specialist expertise in the arts in criminal justice, prison mental health and older people in prison.

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Inside HMP Perth

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Why read this evidence review?

This evidence review provides an in-depth look at the issues and challenges of our ageing prison population.

Louise Ridley, senior lecturer in Criminology at Northumbria University, reviews the current evidence base – to which she is an important contributor – and covers a number of key issues including:

- The disproportionate growth in the number of older people in prison
- The challenges to the prison system to provide the same level of care to this group
- The lack of a coherent strategy and the consequences of limited responses to the needs of older people in prison
- The ways in which some prisons have adapted to the challenges of caring for so many people with chronic health and social care needs.

She also reviews the important role played by voluntary organisations, working collaboratively in prisons and improving the quality of life experienced by older people in prison.



Introduction

Older people are the fastest growing group in the prison population in England and Wales. The number of prisoners aged 60 or over has increased by 82% in the last decade and by 243% since 2002. 17% of the prison population are now over 50. The prison population is expected to grow by a quarter by 2026 and it is anticipated that the older prisoner population will grow at the same rate. Within the current prison population 44% of men over the age of 50 are imprisoned for sexual offences. 92% of those over the age of 80 were sent to prison for the first time aged 70 or over. The majority of the older population in prison are men.

Why have numbers of older prisoners risen in the last 20 years?

This rise has primarily been driven by an increase in the number of older adult men sentenced for sexual offences, however there are other factors at play here. Society as a whole is ageing, but we have also seen an increase in the length of sentences served by individuals, a growth in the number of older people sentenced to prison for historic sexual offences sometimes committed many years earlier, a lower tolerance by courts of deviant behaviour by older people and therefore a greater readiness to imprison them, general changes in sentencing policy, and increased levels of imprisonment for breach of license conditions, resulting in significant number of recalls to prison. In addition, nearly a third of people serving the now discredited IPP sentence (indeterminate sentence for Public Protection) are aged 50 or over.

For these reasons, this growing population comprises four distinct groups:

- 1 First-time prisoners serving a long sentence
- 2 First-time prisoners serving a short sentence
- 3 Those with recurring experiences of custody
- 4 Long-term or intermediate sentence prisoners who have grown old in prison (Prison Reform Trust, 2016).

It appears that the growth in older people entering our prisons has taken those at the both the Ministry of Justice and the prison service by surprise, leaving both physical environments and prison regimes poorly equipped, even though this is a phenomenon being experienced by most of the Western world (House of Commons Justice Committee, 2013; 2020).



How old is old?

When talking about older people in prison, there is considerable debate about the age threshold to define someone as 'old'. Many charities and advocacy groups argue that any person in prison aged over 50 should be defined as 'older'. However, other groups argue that 65 should be the age at which a person in prison is referred to as 'old'. This disagreement has created problems for those trying to respond to the challenges posed by the significant numbers of older men coming into prison during the last twenty years.

Prisoners' often chaotic and unhealthy lifestyles before custody and the experience of imprisonment can speed up elements of the ageing process. Thus, some may have chronic health disorders and disabilities that are typical of those ten years older (House of Commons Justice Committee, 2013; 2020). Prisons now in England and Wales are, in the main, using age 50 as the threshold to refer to someone as an older person in prison.

What is the problem?

Prisons were ill prepared for the rise in numbers and against the backdrop of no national strategy for older people in prison, there was extraordinarily little in place to cope with the complexities of managing this hugely different population. Unlike young men, older people's adaptation to the prison environment is complicated and rife with problems that both prisons and prison staff are unable to provide responses to.

Older people cause no real problems in terms of the smooth running of the prison estate. In fact, the Chief Inspector of Prisons entitled a report about older people in prison 'No problems – old and quiet,' after an entry that the inspection team found in an older person's wing history sheet (HM Chief Inspector of Prisons, 2004).

The Chief Inspector found that the older a person was, the more barriers there were to an active and healthy life in prison, the greater their physical and mental health needs and the less likely it was that they would be able to live and function in anything approaching dignity. The inspectorate team found that often, no one took a lead within the prisons for considering the needs of this rapidly growing population.

Older people have needs and requirements that differ significantly from the rest of the (younger) prison population. Chu (2016) identified different behaviours and aspirations and views than those who are younger. Many younger men in prison remain active and involved in the prison regime, whereas many older people face several issues that are pertinent to their age and vulnerability. Older people are also a more diverse group in that they are likely to be more educated (estimates are that 17% of this population hold a degree level qualification), do not require as much help as younger people in finding work on release (although this may be due to the fact that many are over retirement age), and are less likely to have drug related problems on admission to prison (House of Commons Justice Committee, 2020).



The impact on older men in prison

More people are now dying within our prisons of natural causes. In 2020, 184 people aged 50 or over died of natural causes, more than twice the number of ten years ago. It is estimated that as many as 85% of the current older population in prison in England and Wales have some sort of major health condition. Evidence indicates that many prisoners with mobility issues have been unable to look after themselves or their cells, and some are without access to showers. This issue was exacerbated by the restrictions imposed during the Covid-19 pandemic.

Older people in prison are much more likely to suffer from chronic disease, disability, decreased mobility, and sensory impairment than other prisoners. Many elderly prisoners are entering prison for the first time, an experience that can be traumatic and cause much greater psychological shock than for younger and/or more regular prison attendees (Cohen and Taylor, 1972; Crawley and Sparks 2006). This is referred to as 'institutional shock' or 'entry shock.' The 'institutional shock' felt by older men entering prison for the first time is difficult to describe or put into words. Nearly all men in prison aged over 80, were sentenced to prison when they were in their 70s. The impact of this can be significant.

It is hard for any person visiting prison to ignore the ageing population that stands (or sits) before them. The greyness accentuated by the grey prison clothing. People in prison pushing others in wheelchairs, assisting each other in negotiating the narrow prison corridors and landings, carrying food for those who cannot get to the servery or fail to get there in time, as the journey there presents far too many challenges. In addition to the problems created by the physical environment, there is also a palpable feeling of 'loss' amongst this population. Younger men may look ahead to release and the start of a new life. For older men there is far more reflection and looking backwards on a life now lost to them, with the real possibility of never living that normal life ever again. Many older people are released into hostel accommodation and to new areas of the country, where they are unlikely to know anyone at all.

How have prisons adapted?

The lack of any national strategy resulted in older prisoner experiences being shaped by a complex policy and practice 'patchwork.' In 2021 prison inspectors found that provision for older prisoners, across the prison estate, remained variable and underdeveloped. The Chief Inspector of Prisons, the Prisons and Probation Ombudsman, Age UK and other organisations have called for a national strategy to be in place to support older people in prison.

There has been limited strategic response to the challenges posed by this ageing population, resulting in prisons finding it difficult to respond, with even small numbers of older people with health and social care needs stretching resources (Prisons and Probation Ombudsman, 2017). During a time of significant cuts



in budgets and staffing crises, the needs of older men, who pose little problem to the good order and running of prisons, were not a priority for most prisons in England and Wales. It is becoming clear that during the Covid-19 pandemic this older, quiet population was further pushed to the background.

Standard design of prisons makes it difficult for older, less mobile people to navigate the narrow corridors and wings. Those who suffer with declining mobility or who may be experiencing cognitive problems, such as dementia, can find the prison environment both challenging and intimidating. Without reasonable adjustments in place, it can become impossible for older prisoners to participate in regimes and receive the right sort of health care. Adjustments can be in the shape of grab rails, adequate seating, widening of access points, higher beds, mobility aid accessibility, adjustments to bathrooms facilities and much more. Evidence shows that across the prison estate the response to the needs of an older person, is, at best, patchy. Many prisons would never be able to make adequate provision for an older person, due to the age and nature of the prison building and subsequent disruption. Lack of adequate space can result in further isolation as they may find themselves in health care away from others who can offer that informal support, vital to the well-being of any prisoner, but evidence suggests even more so for the older prisoner.

The Chief Inspector of Prisons notes that prisons who work in collaboration with external partners provide some of the best responses to the problems faced by older men in prison. It is worth noting that the prisons who are providing some of the better strategic responses in order to support their older populations are those prisons with the higher number of men aged over 50. The right staff need to be employed to work with the older population. It is the key to many initiatives taking place, and changes being implemented to ensure a more comfortable regime and better staff-prisoner relationships. Having an older person lead within a prison can be a highly effective way of ensuring that the voice of older people in prison is heard and acknowledged.

It is well documented that release planning for older people in prison is often non-existent, causing elevated levels of anxiety and uncertainty for those being released, many of whom cannot return to their family homes or locality. As the current prison population ages, there is a risk that older men or the 'oldest old', as Key and Culliney (2018) describe those aged 85 and over, will become further excluded with little or no prospect of successful reintegration into society without vast cost to already stretched social care providers.

Conclusions

The growth in the older prison population has created challenges and dilemmas for the prison system. Without a national strategy to guide both practitioners and prisons, responses have been piecemeal and do not appear to have fully addressed these challenges and dilemmas. Partnership working, involving the prison service, other statutory agencies, the voluntary sector, and prisoners themselves, will not resolve the problems identified with imprisoning older men, but it can help on a small scale and ensure a more



comfortable experience. It is evident that working collaboratively can be a beneficial approach, if used in a way that takes account of the unique nature of the prison environment. Collaboration between the voluntary sector and prisons enables wiser solutions to be developed to better meet the challenges posed by older prisoners. This is clearly evidenced by the work of RECOOP, Age UK and the Salvation Army who are just a few of the third sector organisations making a difference to the lives of older men in prison.

However, there are many moral questions that can be raised as a result of the imprisonment of older people, and the post-Covid landscape offers the right time to air these concerns. Peter Clarke, the former Chief Inspector of Prisons, suggested that there should be some thought given to housing men, who are elderly and frail and have complex health care needs, in something akin to a care home with additional security. There is constantly the difficulty of balancing fairness with humanity in the justice system, and this is most keenly felt when discussing the plight of the older man sent to prison.

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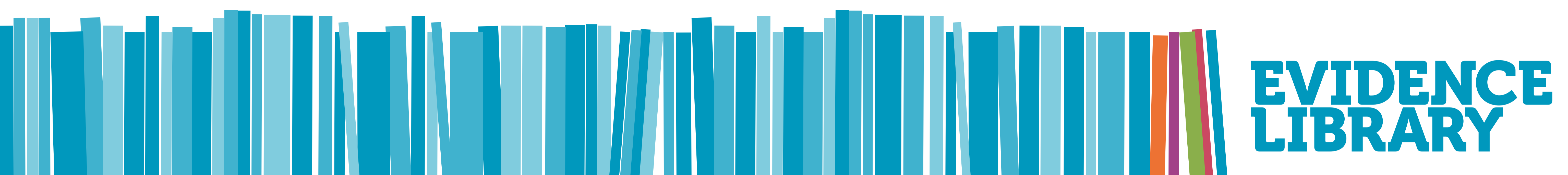
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An online evidence base for the voluntary sector working in the criminal justice system

This article forms part of a series from Clinks, created to develop a far-reaching and accessible evidence base covering the most common types of activity undertaken within the criminal justice system. There are two main aims of this online series:

- 1 To increase the extent to which the voluntary sector bases its services on the available evidence base
- 2 To encourage commissioners to award contracts to organisations delivering an evidence-based approach.

Each article has been written by a leading academic with particular expertise on the topic in question. The topics are selected by Clinks' members as areas of priority interest. With the support of Russell Webster, Clinks is working towards building a comprehensive directory of the best evidence available across a wide range of criminal justice topics.

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Clinks, 82A James Carter Road, Mildenhall, Suffolk IP28 7DE

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