



Ministry
of Justice



Offender Management Statistics Quarterly Bulletin

July to September 2013, England and
Wales

Ministry of Justice
Statistics bulletin

30 January 2014

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Introduction

This publication provides key statistics relating to offenders who are in prison or under Probation Service supervision. It covers flows into these services (receptions into prison or probation starts) and flows out (discharges from prison or probation terminations) as well as the caseload of both services at specific points in time. Latest figures for the quarter July to September 2013 are provided compared to the same period in 2012 for each topic as well as reference to longer term trends, with the exception of the prison population where more recent data is available (31 December 2013).

This bulletin is published alongside four inter-related bulletins:

- **Proven Re-offending Statistics Quarterly:** provides proven re-offending figures for offenders who were discharged from custody, received a non-custodial conviction at court, received a caution, reprimand, warning or tested positive for opiates or cocaine in the 12 months ending March 2012.
- **Safety in Custody quarterly update to September 2013:** provides statistics on death self harm and assault incidents whilst in prison custody.
- **Youth Justice Statistics April 2012 to March 2013:** The report will look at the number of young people in the system, their offences and outcomes, and their re-offending behaviour.
- **Experimental statistics from the 2013 MoJ /DWP /HMRC data share:** Linking data on offenders from MoJ with benefit, employment and income data from DWP and HMRC.

Taken together, these publications present users with a more coherent overview of offender management including re-offending among both adults and young people, the safety of offenders whilst in prison custody and the programmes undertaken by offenders whilst in prison or under Probation Service supervision.

The United Kingdom Statistics Authority has designated the statistics in this publication as National Statistics, in accordance with the Statistics and Registration Service Act 2007 and signifying compliance with the Code of Practice for Official Statistics.

Designation can be broadly interpreted to mean that the statistics:

- meet identified user needs;
- are well explained and readily accessible;
- are produced according to sound methods; and
- are managed impartially and objectively in the public interest.

Once statistics have been designated as National Statistics, it is a statutory requirement that the Code of Practice shall continue to be observed.

Table 1: Overview – latest period compared to the previous year

	31 December 2013	Percentage change 31 December 2012 to 31 December 2013	
Prison population	84,163	0%	→
Remand	11,256	6%	↑
Untried	7,906	8%	↑
Convicted unsentenced	3,350	1%	↑
Under sentence	70,919	-1%	↓
Fine Defaulters	106	-5%	↓
Less than or equal to 6 months	4,175	-1%	↓
Greater than 6 months to less than 12 months	2,361	0%	→
12 months to less than 4 years	19,565	-4%	↓
4 years or more (excluding indeterminate sentences)	26,789	3%	↑
Indeterminate sentences	12,798	-6%	↓
Recalls	5,125	-4%	↓
Non criminal	1,988	60%	↑
	July - September 2013	Percentage change July - September 2012 to 2013	
Prison receptions			
First receptions	27,871	-3%	↓
Remand - untried	12,804	-2%	↓
Remand - convicted unsentenced	8,813	-6%	↓
Under sentence	20,903	-4%	↓
Fine Defaulters	183	-39%	↓
Less than or equal to 6 months	9,474	-9%	↓
Greater than 6 months to less than 12 months	2,245	-1%	↓
12 months to less than 4 years	6,619	2%	↑
4 years or more (excluding indeterminate sentences)	2,315	6%	↑
Indeterminate sentences	67	-68%	↓
Prison discharges			
Determinate sentences	19,669	-6%	↓
Less than or equal to 6 months	8,480	-7%	↓
Greater than 6 months to less than 12 months	1,869	-12%	↓
12 months to less than 4 years	6,847	-8%	↓
4 years or more (excluding indeterminate sentences)	2,473	5%	↑
Indeterminate sentences	212	24%	↑
Indeterminate sentence for public protection (IPP)	129	18%	↑
Life sentence	83	34%	↑
Average percentage of time served⁽¹⁾			
Determinate sentences	52%	-1 pp	↓
Less than or equal to 6 months	53%	-1 pp	↓
Greater than 6 months to less than 12 months	45%	-3 pp	↓
12 months to less than 4 years	49%	0 pp	→
4 years or more (excluding indeterminate sentences)	55%	-1 pp	↓
Probation starts			
All court orders	39,587	-3%	↓
All community sentences	27,074	-8%	↓
Community order	26,552	-7%	↓
Other sentences	12,653	9%	↑
Suspended sentence order with requirements	11,234	-2%	↓
Pre release supervision	10,474	-8%	↓
	30 September 2013	Percentage change 30 September 2012 to 30 September 2013	
Persons supervised by the Probation Service			
All court orders	110,952	-5%	↓
All community sentences	75,206	-6%	↓
Community order	73,580	-6%	↓
All pre CJA orders	121	-55%	↓
Youth rehabilitation order	1,588	-18%	↓
Other sentences	38,385	-3%	↓
Deferred sentence	157	149%	↑
Suspended sentence order	38,251	-3%	↓
All pre and post release supervision	110,795	-1%	↓
Pre release supervision	70,599	0%	→
Post release supervision	40,679	-2%	↓
	July - September 2013		
Licence recalls			
Recalled in latest quarter	4,499		
Not returned to custody by 31 December 2013	92		
Total not returned to custody by 31 December 2013	1,035		

1) Average percentage of time served includes time served on remand; change in percentages are given as percentage point change (pp).

Prison population

The prison population grew rapidly between 1993 to 2008 – an average of 4% a year. This rapid rise was driven by:

- Increased numbers of people sentenced to immediate custody from 1993 to 2002.
- Increases in the average custodial sentence length and increased use of indeterminate sentences.
- Increase in numbers recalled to prison following breaches of the conditions of licence and these offenders spending longer in prison once recalled.

The rise in the prison population slowed considerably from the summer of 2008, in part due to the introduction of the Criminal Justice and Immigration Act (CJIA) 2008, which changed sentencing and offender management in ways which helped to reduce growth in the prison population. For more information, see [CJIA 2008](#).

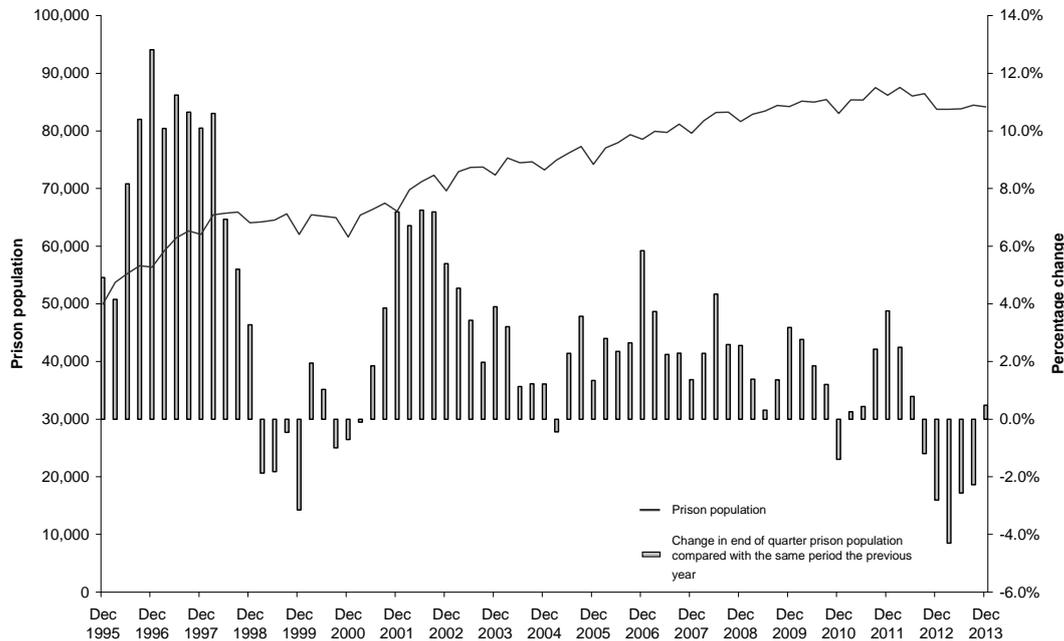
This flatter trend continued until the public disorder seen in UK cities from 6 to 9 August 2011 which had an immediate but temporary impact on the prison population. During 2012 and into 2013, the prison population began to fall due to a falling remand population and a continued decline in the number of under 18s in custody. The falling remand population during 2012 reflected falling volumes going through the courts plus the introduction, in December 2012, of measures restricting the use of remand for offenders who would be unlikely to receive a custodial sentence¹.

In the second half of 2013 the prison population increased, due to a relatively large rise in the remand population which may have been the result of changes to court committals.

The 'Story of the Prison Population 1993 to 2012' is an in-depth look at what happened to the prison population between 1993 and 2012 and the major factors contributing to the changes: www.gov.uk/government/publications/story-of-the-prison-population-1993-2012

¹ Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act 2012: services.parliament.uk/bills/2010-11/legalaidsentencingandpunishmentofoffenders.html

Figure 1.1: Quarterly prison population and annual percentage change, England and Wales, December 1995 to December 2013



The prison population at 31 December 2013 was 84,163, an increase of 406 (less than 1%) compared to 31 December 2012 when the total population was 83,757.

At 31 December 2013, there were:

- 80,356 males in prison - a rise of 1% over the year
- 3,807 females in prison - a fall of 3% over the year

The overall small rise in the total prison population over the last year was due to an increase in the remand population whilst the sentenced population fell.

The remand population increased by 6%, driven entirely by an increase in the untried population (up 8%), while the convicted unsentenced population remained fairly stable. However, within the year-on-year increase there were some changing trends during the year. The remand population had fallen throughout much of 2012 reflecting falling volumes going through the courts. This continued into 2013 following the introduction, in December 2012, of measures restricting the use of remand for offenders who would be unlikely to receive a custodial sentence. By February 2013, the full impact of these measures had been realised and the remand population then remained relatively stable until the end of August 2013 when it began to rise. It continued to rise until mid November, with this temporary rise thought to be the result of changes to court committals.

The sentenced population fell by 1% over the last year due to the continued fall in the number of young offenders (aged under 21) in custody - young adults (aged 18-20) were down 14% and 15-17 year olds down 21%. The sentenced adult (age 21+) population remained relatively stable.

Although the overall adult sentenced population remained stable, the numbers serving long determinate sentences of 4 years or more continued to rise (up 4% from 24,462 to 25,470), while those serving 12 months to 4 year sentences fell by 2%.

Nearly two-thirds of the increase in the numbers serving long determinate sentences was due to the introduction of the new [Extended Determinate Sentence](#) (EDS) (see paragraph below) – 656 offenders were serving such a sentence as at 31 December 2013.

The number of prisoners serving indeterminate sentences (either a life sentence or an Indeterminate Sentence for Public Protection – an IPP) continued to fall with the IPP and life sentence populations down 10% and 3% respectively. This reflects the sentencing changes introduced in December 2012 which abolished the IPP (IPPs can now only be imposed in very exceptional circumstances) and introduced the new EDS which is available for offenders who would previously have received an IPP or an extended sentence.

Within the indeterminate sentenced population, as in previous quarters, 42% were serving an IPP (5,335) and 58% were serving life sentences (7,463). Two thirds of IPP prisoners had passed their tariff expiry date. There were 44 offenders serving a whole life sentence as at 31 December 2013. In addition to this, 8 prisoners serving whole life sentences were being treated in secure hospitals.

The number of non-criminals in prison rose by 747, or 60%, to 1,988 at 31 December 2013. Just over half of this increase is due to the NOMS agreement with the Home Office to hold an increased number of immigration detainees in the prison estate. The remainder of the rise is the result of data quality work to improve the recording of offenders who are held post-sentence pending deportation (who should be recorded as non-criminals, but historically at any given time, around 300 have wrongly remained recorded as sentenced prisoners). While it was not possible to also carry out the data quality work on last year's prison population, it is likely that the impact would have been similar (around 300 non-criminal prisoners incorrectly recorded as sentenced prisoners at both points in time).

The foreign national prisoner population was 10,695 as at 31 December 2013, accounting for 13% of the prison population (the same proportion as in recent quarters). This figure includes Immigration Removal Centres (IRCs). When looking at the population excluding IRCs, 12% were foreign national prisoners (again the same proportion as in recent quarters).

An increasing proportion of sentenced prisoners are serving sentences for the most serious offences. As at 31 December 2013, 27% of the sentenced

population had committed violence against the person offences, an increase from 21% in 2000. Similarly, the proportion serving sentences for sexual offences increased from 10% in 2000 to 15% in December 2013. In contrast, the number serving sentences for motoring offences has fallen steadily over time, now comprising 1% of the sentenced population compared with 4% in 2000 and the proportion serving sentences for burglary has fallen from 17% in 2000 to 10% as at 31 December 2013.

Prison receptions

In the quarter ending September 2013, there were 27,871 first receptions into prison, a fall of 3% compared to the same period in the previous year with falls seen for both males and females.

Between the quarters ending September 2012 and September 2013, the number of untried receptions – those remanded in custody awaiting trial - fell by 2%. Looking across the year, the number of untried remand receptions fell until the quarter ending March 2013 (as a result of measures restricting the use of remand introduced by LASPO²), but have since risen consistent with the increase in remand population (see prison population section above).

Convicted unsentenced receptions, those remanded in custody awaiting sentence, fell by 6% between the quarters ending September 2012 and September 2013 – they saw a similar pattern to untried remand receptions across the year.

There was a 4% fall in the number of prisoners received under sentence in the quarter ending September 2013 compared to the quarter ending September 2012. This fall was driven by falling numbers of short sentences (less than 12 months - down 7% overall), while longer determinate sentences of 4 years or more continued to rise (up 6%).

The rise in numbers received into prison to serve a long determinate sentence partly reflects the impact of sentencing changes introduced in December 2012 which abolished IPPs and introduced the new extended determinate sentence. These changes also resulted in a large fall in the number of offenders entering prison to serve an indeterminate sentence.

² Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act 2012: services.parliament.uk/bills/2010-11/legalaidsentencingandpunishmentofoffenders.html

Prison discharges

A total of 19,669 offenders were discharged from determinate sentences in the quarter ending September 2013, a fall of 6% from the quarter ending September 2012. The decrease in discharges was reflected across both males (down 6%) and females (down 12%).

In line with the trends in prison receptions, this overall fall was driven by falling numbers discharged from sentences of less than 4 years, while numbers released from longer sentences continued to rise.

As well as those discharged from determinate sentences, 129 offenders were released from an Indeterminate sentence for Public Protection (IPP) and a further 83 from a life sentence (up slightly from 109 and 62 the previous year). In addition, 19 indeterminate sentenced prisoners were removed under the Tariff Expired Removal Scheme (TERS) - this scheme allows indeterminate sentenced foreign national prisoners, who are liable to removal from England and Wales, to be removed from prison and the country upon, or any date after, the expiry of their tariff without reference to the Parole Board. This scheme began in May 2012, and by the end of September 2013 there had been 205 removals in total.

Those discharged from determinate sentences in the quarter ending September 2013 had, on average, served 52% of their sentence in custody (including time on remand). On average males served a greater proportion of their sentence in custody – 52% compared to 46% for females in the quarter ending September 2013. This gender difference is consistent over time, and partly reflects the higher proportion of females who are released on Home Detention Curfew (HDC – under which certain offenders can be released on an electronically monitored curfew up to 135 days before the halfway point of their sentence when they would otherwise be released).

The number of prisoners released on HDC fell by 18% between the quarters ending September 2012 and September 2013. To be considered for release under HDC an offender must be serving a sentence of less than 4 years and the number of prisoners serving such sentences has been falling (see population section above). The decrease in the eligible population will have a direct impact on the number that can be considered for HDC release and the number that are subsequently released. Prisoners released on HDC in the quarter ending September 2013 spent an average of 2.8 months on HDC, down slightly from 3.0 months in the quarter ending September 2012.

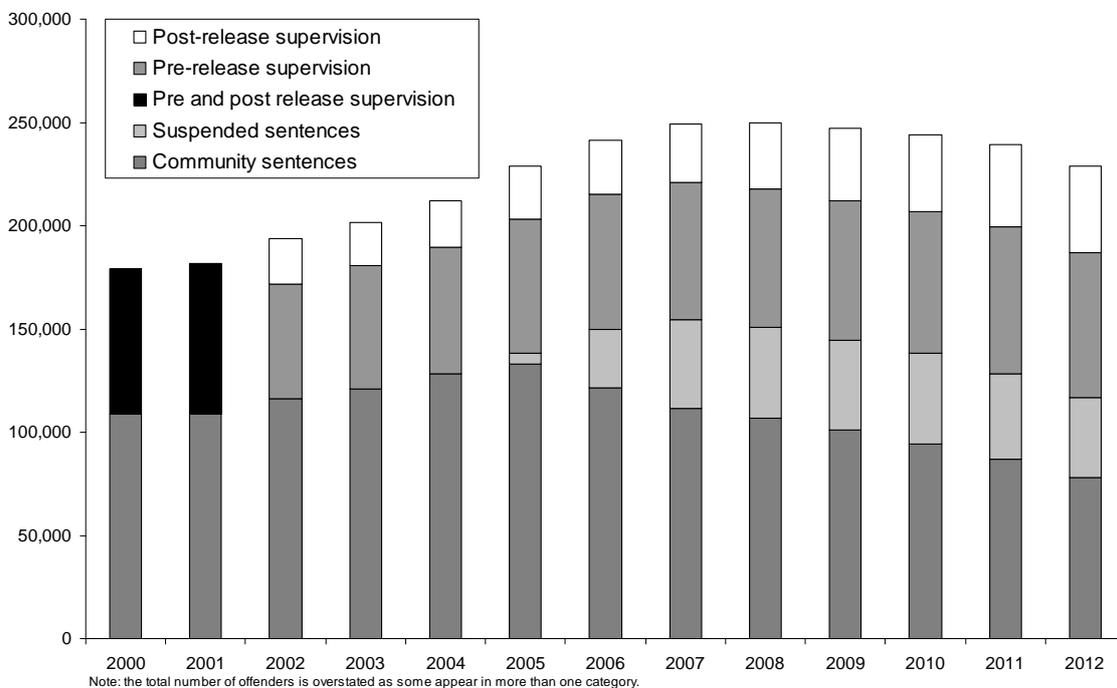
Probation

The total annual probation caseload (court orders and pre and post release supervision) increased by 39% between 2000 and 2008 to 243,434. Since then the probation caseload has fallen year on year, reaching 224,823 at the end of 2012. The rise between 2000 and 2008 was driven by

- the introduction of new court orders, in particular the Suspended Sentence Order (SSO) in 2005 (under the Criminal Justice Act 2003); and
- an increase in the pre- and post-release supervision caseload due to:
 - continued growth in numbers serving custodial sentences of 12 months or more who require supervision on licence on release from custody;
 - offenders spending longer periods on licence after release from custody under CJA 2003.

The number being supervised at the end of 2012 (the caseload) continued the decrease seen in each of the previous four years; community orders fell by 9% and SSOs by 8% compared to 2011. As at the end of September 2013, the total caseload fell again – down 3% compared to the end of September 2012.

Figure 1.2: Number of offenders under Probation Service supervision (at end December), 2000-2012



Looking at the latest quarter, the court order caseload continued to decrease with the community order caseload down 6% and the SSO caseload down 3% between the quarters ending September 2012 and 2013. The number of offenders *starting* community orders and suspended sentence orders also decreased over this period, falling by 7% and 2% respectively.

In addition, in the quarter ending September 2013, there were over 1,200 starts of SSOs without requirements attached. This brings the total number of stand-alone SSOs starts to almost 3,000 since they were introduced under the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (see data sources and quality section).

The caseload of offenders supervised before or after release from prison showed a slight decrease of 1% between the quarters ending September 2012 and 2013, driven entirely by a decrease in post-release supervision (down 2%), reversing the trend seen in previous quarters and consistent with the falling trend in prison discharges. The number of pre-release supervision starts fell by 8%, consistent with prison receptions where the number of offenders starting prison sentences continues to fall.

The number of requirements started under court orders continued to fall, in line with the decrease in the number of court order starts. Much of this decrease was driven by falls in unpaid work and curfew requirements; while specified activities, drug and alcohol treatment requirements continue to show increases.

Of the court orders terminated in the quarter ending September 2013, two-thirds (67%) were terminated successfully (either ran their full course or were terminated early for good progress). This was true for both Community Orders and SSOs.

Licence recalls

Offenders serving a sentence of twelve months and over are released from prison, in most cases automatically at the half way point of their sentence, under licensed supervision to the Probation Service. They are all subject to a set of standard licence conditions, requiring them to report regularly to the Probation Service, live at an address approved by the Probation Service and to be of good behaviour.

A key element of public protection is that offenders released on licence should be effectively supervised in the community and swiftly recalled to custody if their behaviour gives cause for concern. It is explained to offenders at the outset that they may be recalled to custody if they breach any of the conditions of their licence.

There are various reasons why offenders are recalled to custody for breaching their licence conditions besides committing a further offence. For example, an offender may be recalled if there is any deterioration in behaviour which leads the Probation Service to conclude that there is an increased risk of the offender committing further offences.

Over the period 1999 to September 2013, a total of 640,000 offenders were released from prison on licence supervision. Between April 1999 and September 2013, 164,345 of those released on licence were recalled to custody for breaching the conditions of their licence, e.g. failing to report to their probation officer. Of all those recalled to custody, less than 1% (only 1,035) had not been returned to custody by the end of December 2013. This total may include some offenders believed to be dead or living abroad but who have not been confirmed as dead or deported.

Of the 1,035 not returned to custody by 31 December 2013, 139 had originally been serving a prison sentence for violence against the person offences and a further 36 for sexual offences.

During the quarter ending September 2013, a total of 4,499 offenders had their licence revoked and were recalled; 92 had not been returned by 31 December 2013.

The end-to-end measure across all agencies involved in the process is for 75% of recalled offenders to be returned to custody within 74 hours for emergency recalls and 144 hours for standard recalls. In the quarter ending 30 September 2013, 3,507 (78%) were returned within agreed timescales.

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Appendix A – Data sources and quality

The data presented in this publication are drawn from administrative IT systems. Although care is taken when processing and analysing the returns, the detail collected is subject to the inaccuracies inherent in any large scale recording system. While the figures shown have been checked as far as practicable, they should be regarded as approximate and not necessarily accurate to the last whole number shown in the tables. Where figures in the tables have been rounded to the nearest whole number, the rounded components do not always add to the totals, which are calculated and rounded independently.

Impact of data quality issues and revisions

Population data

Routine data quality checks identified an issue with how offenders who are held post-sentence awaiting deportation are recorded within the population data. At any given time, around 300 offenders who should be recorded as non-criminals, wrongly remained recorded as sentenced prisoners. This issue has been resolved with effect from April 2013 and revised figures have been provided in all tables reporting the prison population by type of custody and offence.

While it was not possible to also carry out the data quality work on data prior to April 2013, it is likely that the impact would have been similar (around 300 non-criminal prisoners incorrectly recorded as sentenced prisoners at both points in time).

Probation data

From February 2013, there has been a phased introduction and rollout of a national case management information system across all Probation Trusts (n-Delius). As of 31 January 2014, all trusts have migrated to the new system.

As a result of that migration, there has been an increase in the number of offenders within the migrated trusts with tier of supervision recorded as 'Tier not stated'. Investigations are being undertaken to identify the source of this issue.

The Legal Aid, Sentencing and Punishment of Offenders Act 2012 introduced Suspended Sentence Orders (SSOs) without requirements attached. Offenders sentenced to such SSOs are not supervised by the Probation Service as there are no requirements for the offender to meet, other than to not commit a further offence – they do not therefore appear on a Probation Trust's caseload. There have been increasing numbers of such orders given since they were introduced in December 2012, and their inclusion in the number of SSO starts has resulted in a reversal of the general downward trend – this was seen for the first time in the quarter ending June 2013.

As the Probation Service is not required to supervise offenders with stand-alone SSOs, we have taken steps to separate these orders out and for the first time, they are reported separately in Table 4.1. For this quarter only, all other tables

containing SSO starts include standalone SSOs - this results in an overall increase of 9% in SSO starts between the quarters ending September 2012 and September 2013. Table 4.1 shows that the effect of excluding standalone SSOs is a 2% fall in SSOs starts over the same period.

In future quarterly publications, all tables containing starts of SSOs will exclude stand-alone SSOs, with the exception of Table 4.1 which will continue to report them separately.

Pre-sentence court reports (PSR) data

During routine data quality work, it emerged that the introduction and phased roll-out of a national management information system to all Probation Trusts (nDelius) has resulted in a large number of PSRs without completion dates, particularly within large metropolitan areas such as London and Manchester. Migration to the new system has introduced delays to logging of PSRs and their completion dates, the result of which was a substantial fall in the number of PSRs prepared in the most recent quarter. Further investigations are required to ensure the robustness and quality of data for the quarter ending September 2013 and our assessment is that these data are not suitable for publication at this time within tables 4.12 and 4.13.

Pending the outcome of further data quality work, publication will resume in the next quarterly bulletin (24 April 2014).

Indeterminate sentences for public protection

Information relating to tariffs for IPP and DPP prisoners and those serving life sentences is held by the Offender Management and Public Protection Group, NOMS, in the Public Protection Unit Database (PPUD).

Licence recalls and returns to custody

Returned to custody – the figures for those returned to custody include people who have died or been deported by the UK Borders Agency as prior to 2007 this information was not collected separately. The information held centrally records whether or not recalled offenders are still wanted for return to custody but for those offenders no longer wanted for return to custody, information is not held on whether the recall was completed by actual return to custody or because the offender died or was deported.

Not returned to custody – this includes those offenders believed to be dead or living outside of the UK but who have not been confirmed as dead or deported.

Symbols used

..	not available
0	Nil or less than half the final digit shown
-	not applicable
*	One or both of the comparison figures are less than 50
(p)	Provisional data
(r)	Revised data

Revisions policy

Figures for prison receptions and discharges for each of the first three quarters of the calendar year are generally revised alongside figures for quarter 4 in the October to December publication each year. Prison population, probation and licence recall figures are not routinely revised, but are corrected if an error is identified.

Any revisions will be accompanied by an explanation for the revision and its impact, along with – where appropriate – an assessment of whether the impact is in line with previous revisions (for example when updating from provisional to final prison discharges data).

Appendix B – Users of Offender Management Statistics

The contents of the report will be of interest to the public, government policy makers, the agencies responsible for offender management at both national and local levels, and others who want to understand more about the prison population, probation caseload, licence recalls and returns to custody.

The statistics included in this publication are used extensively and meet a broad spectrum of user needs as shown below.

User	Summary of main statistical needs
MOJ Ministers	Use the statistics to monitor the prison population and capacity of the prison estate; monitor effectiveness of probation service and whether resources are deployed efficiently; assess policy impacts (e.g. changes to sentencing guidance)
MPs and House of Lords	Statistics are used to answer parliamentary questions – approximately 100 are answered each year using prison and probation data
Policy teams	Statistics are used to inform policy development, to monitor impact of changes over time and to model future changes and their impact on the system
Agencies responsible for offender management	Current and historical robust administrative data are used to support performance management information at national and local levels within each agency to complement their understanding of the current picture and trends over time
Academia, students and businesses	Used as a source of statistics for research purposes and to support lectures, presentations and conferences, e.g. data on female foreign national prisoners are included in 'The Criminalisation of Migrant Women' report published by the Institute of Criminology, University of Cambridge in July 2012
Journalists	Used as a compendium of robust data on offender management so that an accurate and coherent story can be told on the prison population and probation service
Voluntary sector	Data are used to inform policy work, responses to consultations and briefing papers by analysing trends and changes to the prison population, e.g. the Prison Reform Trust use published offender management data to compile the 'Bromley Briefing Prison Factfiles'
General public	Data are used to respond to ad-hoc requests and requests made under the Freedom of Information (FOI) Act: offender management data is used to answer around 100 FOIs each year

Contact points

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General enquiries about the statistical work of the Ministry of Justice can be e-mailed to: statistics.enquiries@justice.gsi.gov.uk

General information about the official statistics system of the UK is available from www.statistics.gov.uk

Ministry of Justice publishes data relating to offender management in England and Wales. Equivalent statistics for Scotland and Northern Ireland can be found at:

www.scotland.gov.uk/Topics/Statistics/Browse/Crime-Justice

www.dojni.gov.uk/index/statistics-research/stats-research-publications.htm

This publication and associated spreadsheet files of the tables contained in this document and detailed information of definitions, sources and key legislative changes are available for download at

www.gov.uk/government/collections/offender-management-statistics-quarterly

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