

# **Story of the Prison Population: 1993 – 2016 England and Wales**

*July 2016*

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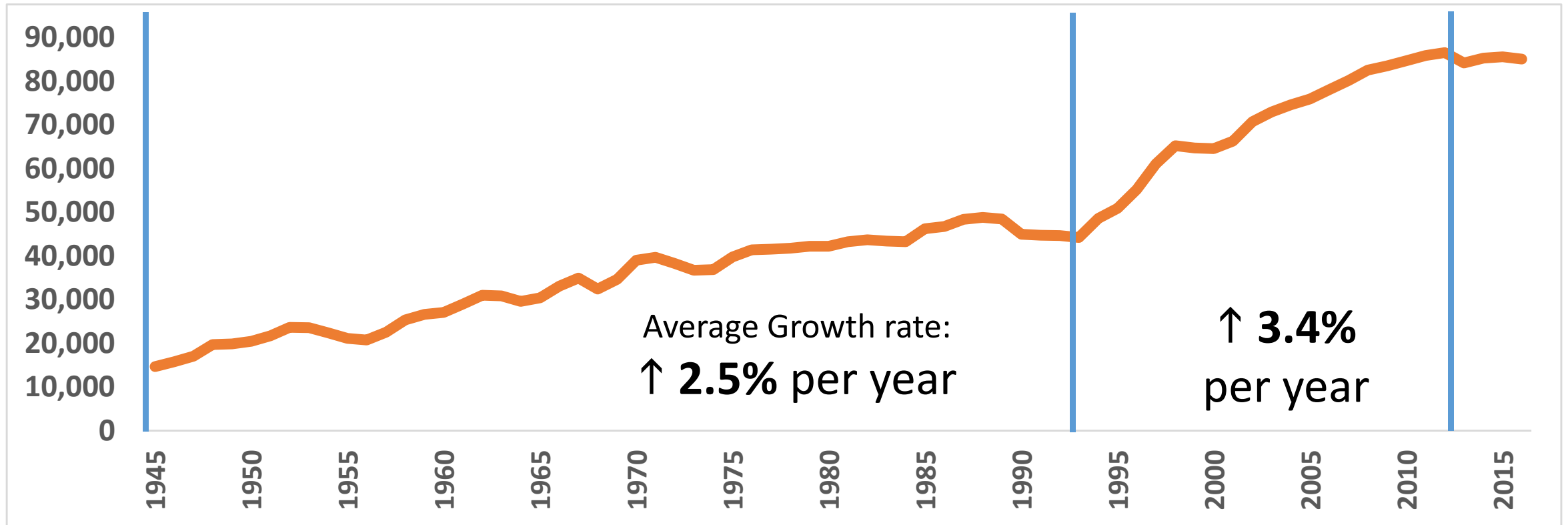
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Details

# The prison population has been rising since the war...

Since 1945, the total prison population has increased from around 15,000 to 85,000.



The growth in the prison population started to pick up pace from 1993  
...but the population has stabilised since 2012. Is this the start of a more stable trend?

## Note:

The above chart is based on prison population figures as at 30 June each year; as this represents the most stable time point. Unless otherwise stated, all prison population figures in this document are stated as at the 30 June.

# Longer determinate sentences are being handed down by the courts

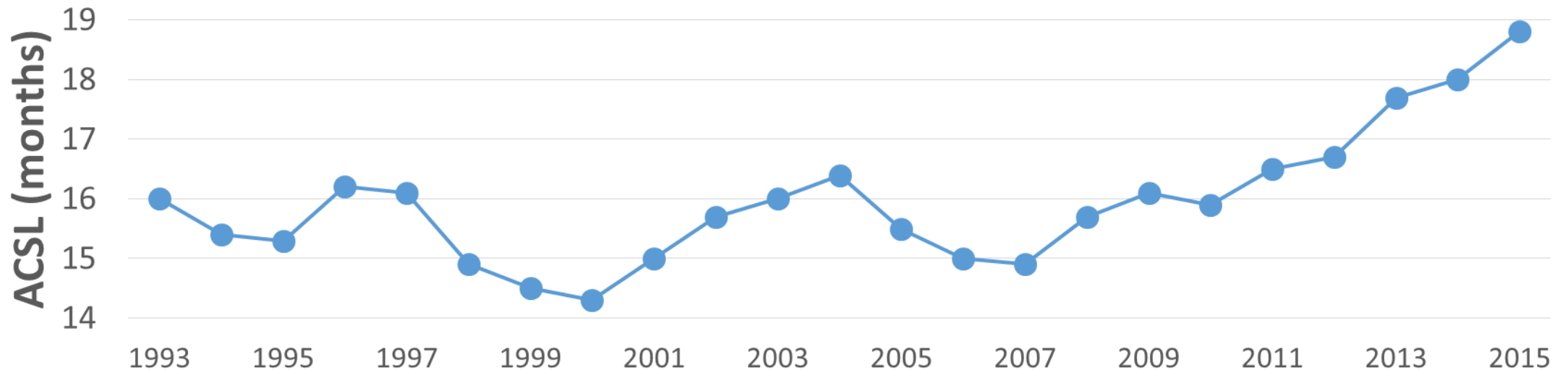
The average custodial sentence length (ACSL) for those sentenced to immediate custody for 'all indictable offences', handed down by judges, has also increased



1993  
**16.0**  
months

2000  
**14.3**  
months

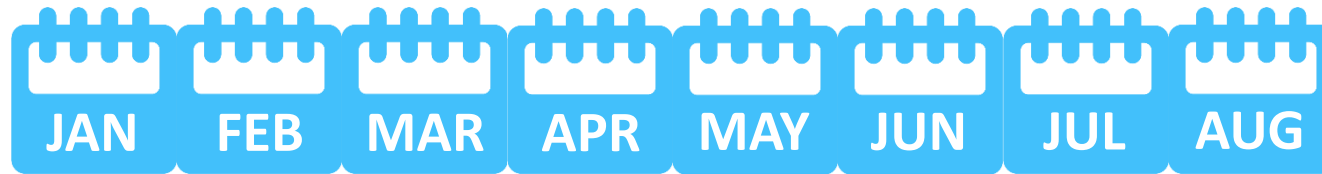
2015  
**18.8**  
months



# ...and people are spending longer in prison

The average time spent in prison (including time spent on remand) for determinate sentenced prisoners has increased

## Those released in 1999\*



**8.1 months**

## Those released in 2015



**9.9 months**

\*'Average time spent in prison' figures are not available prior to 1999

# What has happened since 1993?

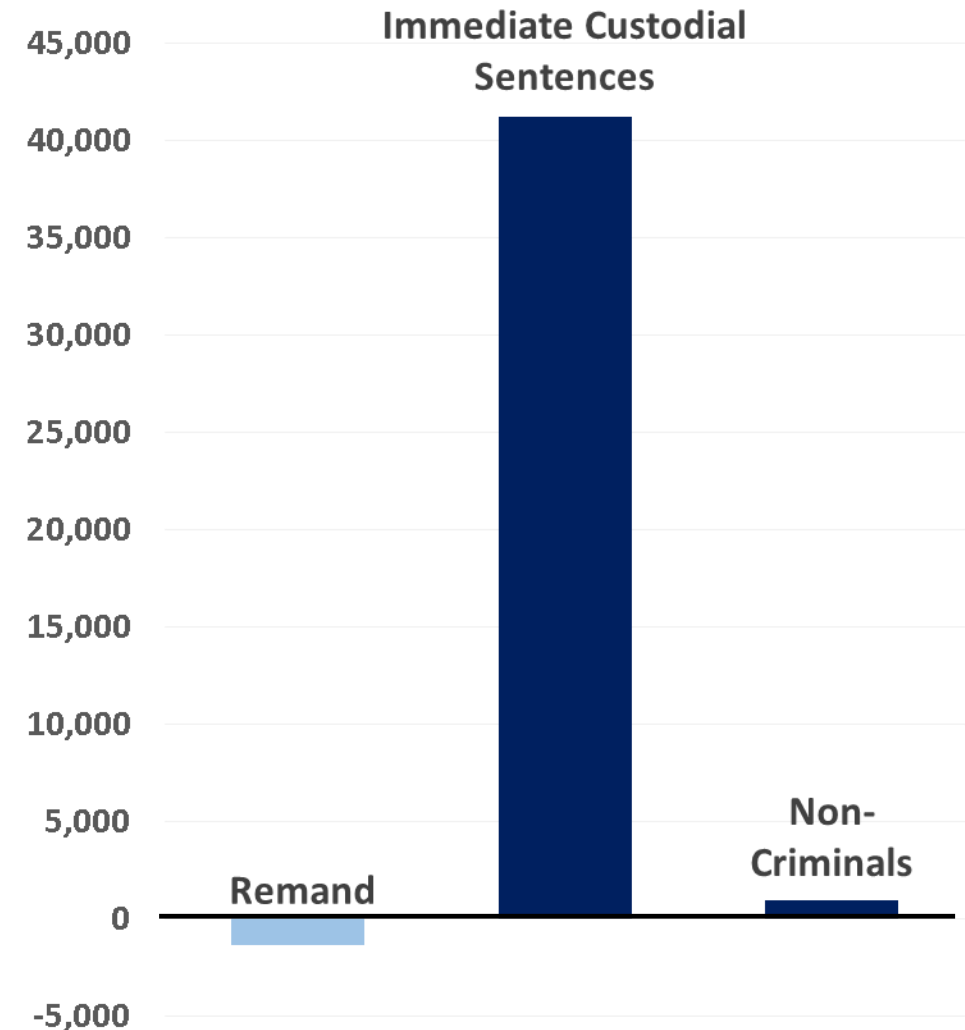
The prison population has increased by around 40,000 since 1993:

**44,246** (1993) → **85,134** (2016)

What has driven this increase?

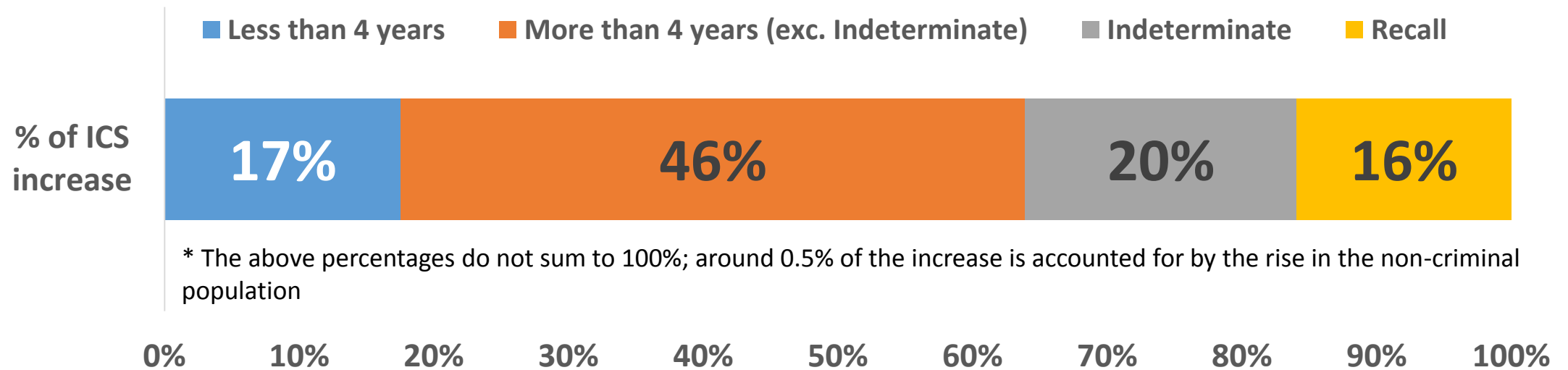
- Almost all of this increase can be accounted for by the rise in the number of prisoners sentenced to immediate custody:
  - There were around 40,000 more prisoners serving immediate custodial sentences in 2016, compared to 1993.
- There has been a drop in the remand population of around 1,000, which is offset by a similar rise in the number of Non-Criminals.
- Non-criminals include those committing civil (non-criminal) offences and immigration detainees.

**Change in prison population; 1993 to 2016**



# The rise in Immediate Custodial Sentences

Virtually all of the increase in the prison population since 1993 is due to the increase in the Immediate Custodial Sentenced (ICS) population. This is broken down further below:



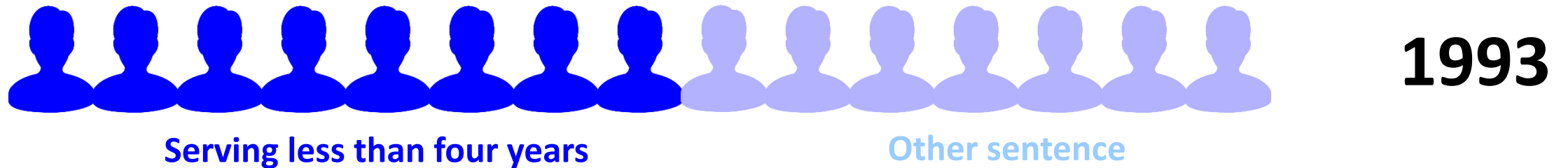
Almost half (46%) of the increase in the Immediate Custodial Sentenced population, since 1993, has been those serving determinate sentences of four years or more. The increase in the Indeterminate sentenced population accounts for a further 20% of the change.

More detail on each of these elements of the prison population is given in the following slides

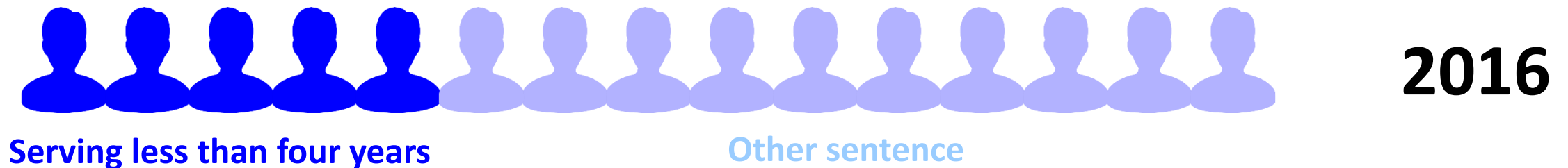
# 'Less than 4 yrs': % of the sentenced population

The crimes being dealt with by the courts have become more serious and so there are fewer and fewer prisoners serving short determinate sentences...

In June 1993, 54% of the sentenced prison population were serving sentences of 'less than four years':



This proportion had dropped to 50% by June 2003, and as at June 2016 only around 1 in 3 (34%) sentenced prisoners were serving 'less than four years':





# '4yrs or more': More sex and drug offenders

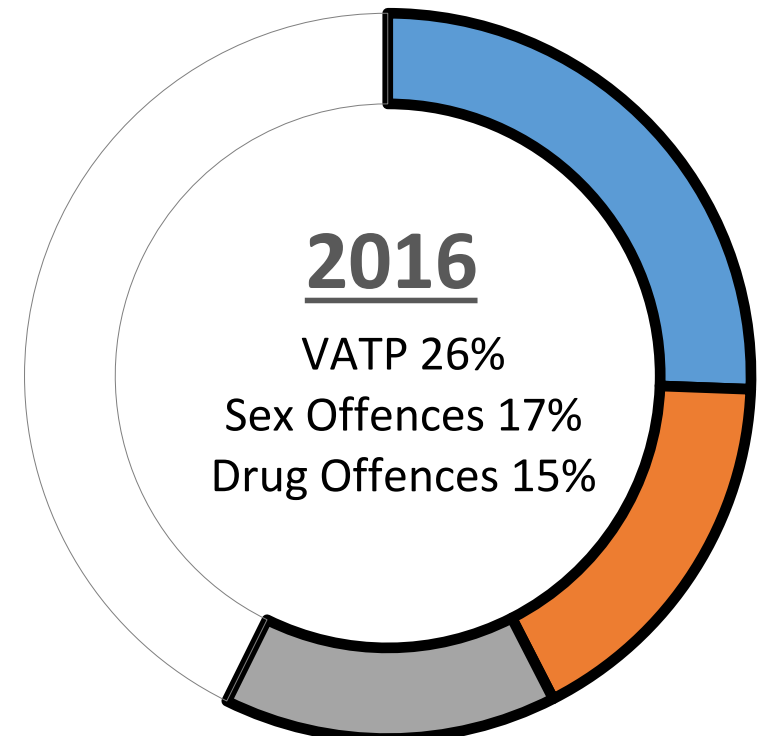
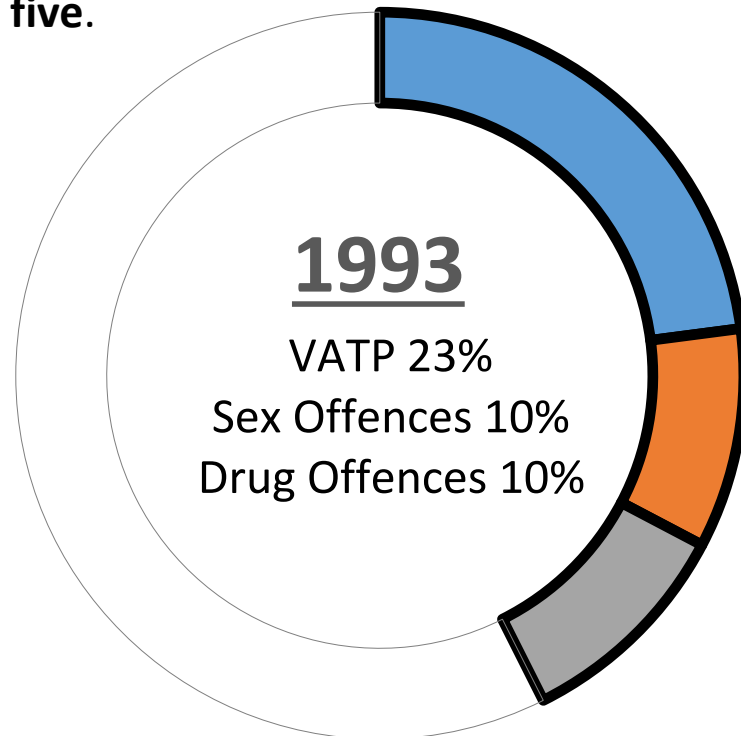
**The offence make-up of the prison population is changing; towards offences that carry longer sentences (such as VATP, Sex and Drug Offences)**

In 1993, Violence Against the Person (VATP), Sexual Offences and Drug Offences together accounted for around **two** in every **five** sentenced prisoners (including the recall population).

By 2016, this had increased to **three** in **five**.

VATP and Sex Offenders may be given an Extended Determinate Sentence (EDS).

Around 75% of prisoners serving an EDS as at 30 June 2016 were either VATP or Sexual offenders.



## '4yrs or more': Some of which are Extended Determinate Sentences

### Extended Determinate Sentences (EDS)

In 2012, the Imprisonment for Public Protection (IPP) sentence was abolished, and a new Extended Determinate Sentences (EDS) was introduced.

The majority of EDSs are handed down for those convicted of sexual and violent crimes, and are made up of an appropriate custodial term plus an extended period of licence. There is no automatic release at the 'half-way point' of the sentence.

EDSs are 'determinate' sentences, whereas IPP sentences were 'Indeterminate'.

As more of these EDSs are handed down by judges, the prison population serving determinate sentences of 4 years or more will increase.

**2,949**

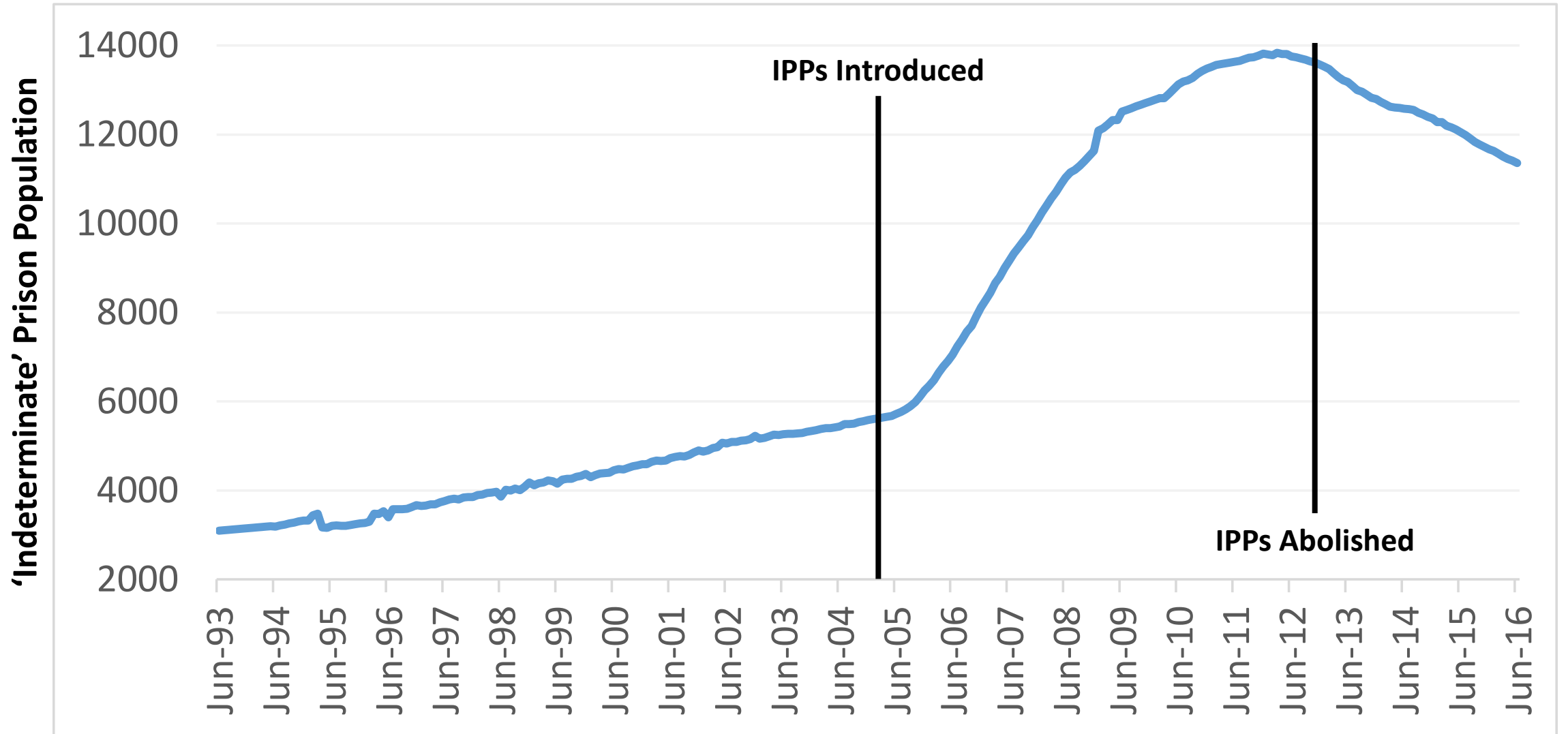
**serving EDS sentences  
as at 30 June 2016**



**50%**

**since 30 June 2015**

# 'Indeterminate': The IPP and Life story



# 'Indeterminate': IPP Sentences

## Imprisonment for Public Protection (IPP)

Imprisonment for Public Protection (IPP) sentences were introduced in 2005 – as a result of the Criminal Justice Act (2003); and abolished in 2012.

IPPs consisted of:

- A **tariff period** which reflected the seriousness of the crime
- Followed by an indeterminate period before the Parole Board consider that the prisoner is 'no longer a risk to the public' and so is 'fit to be released'.

Despite the fact no more IPP sentences were handed down after they were abolished in 2012, there are still around 4,000 IPP sentenced prisoners in the prison population.



# 'Indeterminate': Life Sentences

## Life Sentences

As the name suggests, an offender will be subject to the sentence for the rest of their life.

Life sentences consist of:

- A minimum term (or tariff) that an offender must serve in prison before being considered for parole.
- Followed by an indeterminate period before parole is granted.

There are different types of life sentence, as shown below:

### Discretionary Life Sentences

There are offences – such as rape and robbery – that have a maximum sentence of 'life'.

However it is up to the court to determine whether a life sentence should be given; this is based on a number of factors (including the seriousness of the offence, and the risk to the public).

### Whole Life Order

The offender will spend the rest of their life in prison.

### Mandatory Life Sentences

Judges must give a life sentence to anyone found guilty of murder.

For more information, please see the Sentencing Council website:

<https://www.sentencingcouncil.org.uk/about-sentencing/types-of-sentence/life-sentences/>

# 'Indeterminate': Life Sentences in the prison population

## Life Sentences



# 'Recalls': What are they?

## Recalls

- Offenders who are released from prison on licence to continue serving their sentence under supervision in the community can be recalled to prison if they fail to comply with the conditions in their licence.
- This includes requirements to be of good behaviour, not to commit further offences, to live and work only as approved by the supervising officer and not travel abroad without permission.
- Offenders can be recalled to custody from determinate and indeterminate (Life and IPP) sentences, as well as those who have been released on Home Detention Curfew (HDC).
- There are two types of recall; one reserved for those serving determinate sentences, and the other for either determinate or indeterminate sentenced offenders:
- Those recalled from HDC may be re-released at their sentence half-way point, or held until the end of their sentence.

### Fixed Term Recall (FTR)

**For those serving determinate sentences**

The FTR is:

28 days for offenders serving 12 months or more  
14 days for those serving less than 12 months.

### Standard Recall

**For those serving determinate or indeterminate sentences**

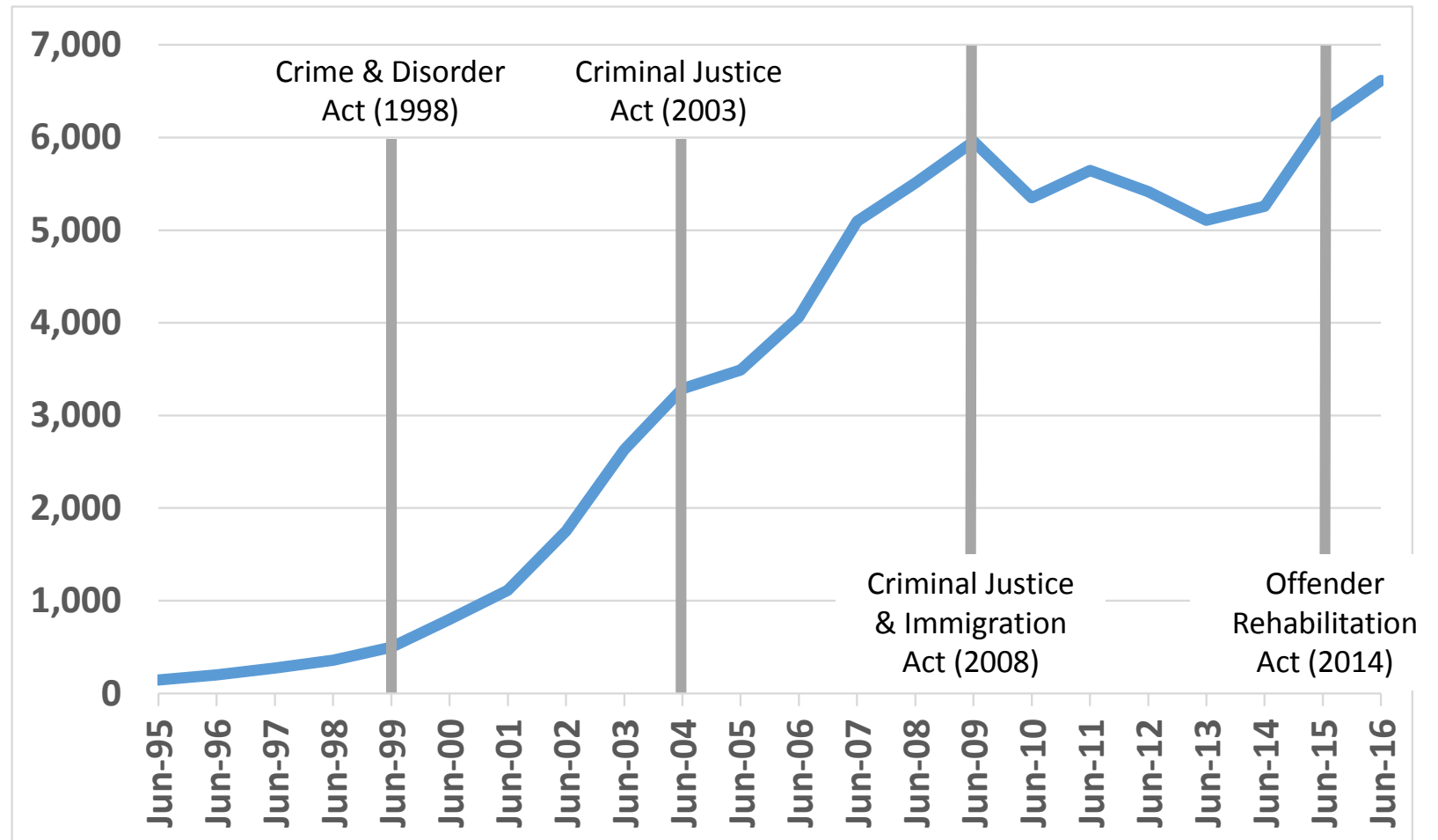
**Indeterminate** sentenced offenders can then only be re-released by the Parole Board.

**Determinate** sentenced offenders are liable to be held until the end of their sentence but can be released earlier by the Parole Board or by executive release.

# 'Recalls': The long-term trend

## Recalls

- In June 1995, only around 150 in the prison population were recalled offenders.
- This had increased to 1,100 over the following six years (1,113 as at June 2001).
- Since then, the numbers of 'recalls' in the prison population has continued to increase; reaching 6,600 as at June 2016 (albeit with a dip between 2009 and 2014).
- So what has caused this dramatic increase?





# 'Recalls': Legislative changes

Effect on recall numbers



## **Crime & Disorder Act (1998)**

- Prisoners serving medium-term determinate sentences (12 months to 4 years) were also made eligible for executive recall (prior to this they could only be recalled after a courts process)

## **Criminal Justice Act (2003)**



- Anyone serving a determinate sentences of 12 months or more, would be 'on licence' until the end of their sentence (whereas, this was previously only until the three-quarter point of the sentence).
- If an offender breached their licence / curfew and was recalled to custody, then they were liable to serve 100% of their original custodial sentence (previously had been 75%)
- Required the Parole Board to review all recall cases, resulting in low rate of re-release

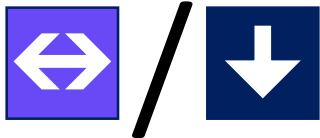
## **Criminal Justice & Immigration Act (2008)**

- Introduced Fixed Term Recall under which some offenders are recalled for a fixed 28 day period; as a result the recall population stabilised / dipped.

## **Offender Rehabilitation Act (2014)**



- Any offender sentenced to a custodial term of more than 1 day will receive at least 12 months supervision in the community; thereby, for the first time, including the cohort of those sentenced to less than 12 months.



# Further information and contact details

## Related Publications

- The Ministry of Justice publish statistics covering a wide-range of themes. The full list of topics (with links) covered by MoJ statistics can be found here: <https://www.gov.uk/government/organisations/ministry-of-justice/about/statistics>
- Particularly relevant to this publication are the 'Prison and Probation' statistics. Here you can find our [Offender Management Statistics Quarterly \(OMSQ\) releases](#) and also the previous '[Story of the Prison Population](#)' publication; covering 1993-2012.

## Contact

- Press enquiries should be directed to the Ministry of Justice Press Office. Relevant contact details can be found here: <https://www.gov.uk/government/organisations/ministry-of-justice/about/media-enquiries>
- Other enquiries about the statistics in this publication should be directed to [statistics.enquiries@justice.gsi.gov.uk](mailto:statistics.enquiries@justice.gsi.gov.uk)
- Further information about the UK Statistical System can be found here: <https://www.statisticsauthority.gov.uk/>

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