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of Justice

Annual NOMS Digest 2016/17

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Introduction

The National Offender Management Service (NOMS) was created as an executive agency of the Ministry of Justice in April 2008 with the goal of helping prison and probation services work together to manage offenders through their sentences. On 1 April 2017, Her Majesty's Prison and Probation Service (HMPPS) replaced the National Offender Management Service (NOMS). However, as this publication covers the reporting period up to 31 March 2017, i.e. prior to the introduction of HMPPS, it therefore considers in detail, statistics for the National Offender Management Service (NOMS).

The National Offender Management Service Annual Report and Accounts for 2016/17 was published on 19 July 2017¹. The Annual NOMS Digest is published on an annual basis to support the Annual Report and Accounts, along with the Prison Annual Performance Ratings report and in October of each year, details of Costs per place and costs per prisoner.

The report for 2016/17 contains:

- a. Headline figures with commentary on the current prison performance measures and on trends over time;
- b. A separate methodological and technical guide detailing how the measures are calculated with a glossary of terms and definitions;
- c. National and local level tables giving trends over time. The supplementary tables are organised into topic areas and show trends for prison areas.

This Annual NOMS Digest includes a number of new items on:

- Bail Accommodation and Support Services referrals from prisons.
- An expansion of electronic monitoring (tagging) to include the caseload of subjects and new cases by month.
- An expansion of mandatory drug testing data to include a breakdown of tests by drug type and outcome for each prison in 2016/17.

Topics that are not included in this report

Information on protected characteristics are not reported here, but will be published in the Annual Offender Equalities Report 2016/17 on 30 November 2017.

Probation measures have not been included in the Digest since 2014/15. As part of Transforming Rehabilitation, probation trusts have been replaced by the National Probation Service (NPS), which manages the most high-risk offenders across seven divisions; and 21 new Community Rehabilitation Companies (CRCs), who manage medium and low-risk offenders. Since the introduction of the

¹ This is available at <https://www.gov.uk/government/publications/noms-annual-report-and-accounts-2016-2017>.

Offender Rehabilitation Act (ORA), the National Probation Service (NPS) and Community Rehabilitation Companies (CRCs) have been monitored against new performance frameworks.

These new performance frameworks were introduced in February 2015 (for CRCs) and April 2015 (for NPS) to enable effective performance monitoring. The performance frameworks measure delivery throughout the offender journey, including:

- Court Work and Allocation (NPS only).
- Starting the Sentence.
- Completion and Compliance with the sentence of the court.
- Delivery of Programmes and Requirements.
- Through the Gate.
- Enforcement and Risk Escalation.
- Assurance Metrics and Other Custodial Services.

The different mix of offenders managed by NPS and CRCs means that performance, expected performance and comparisons cannot generally be made between the two organisations, even where the delivery of services seems identical. Each caseload of offenders bring their own unique challenges, therefore direct comparisons should not be made. Equally comparison cannot generally be made with performance under the previous arrangements.

Management Information (MI) against these performance frameworks is now published on a regular basis by HMPPS in the "Community Performance Quarterly MI release". The publication covers all performance metrics from both frameworks, at a national level and broken down to lower levels of geography where appropriate. New measures for through the gate are currently under development and are intended for inclusion in a future release.

Previous and current publications, can be found at www.gov.uk/government/publications/community-performance-quarterly-management-information-release

Data presented in this report have been drawn from administrative IT systems. Although care is taken when processing and analysing the data, the level of detail collected is subject to the inaccuracies inherent in any large-scale recording system.

Executive Summary

Main Points

Escapes and temporary release failures have increased		When compared with 2015/16: the number of escapes went up by 2 to 15; there was a 65% increase in temporary release failures and the number of prisoners released in error rose by 7 to 71. 71% of unlawfully at large prisoners returned to custody within 30 days, down from 80% in 2015/16.
The number of absconds has fallen by 18%		In 2016/17, there were 86 absconds - the lowest number in any financial year in the time series. It is an 18% reduction from the previous year and 83% drop in the last 10 years.
Percentage of prisoners in crowded conditions is unchanged		In 2016/17, 24.5% of prisoners were held in crowded conditions, the same value as at 2015/16. Although there are yearly fluctuations, crowding levels have remained at around 25%.
92% of Foreign National Offenders referred in 10 working days		92% or 9,088 of the 9,882 total referrals of Foreign National Offenders made to the Home Office, were made within the required 10 working days. This represents a referral rate of 92%, exceeding the 90% target and is at its highest level.
Small increase in average number of prisoners working in custody		In 2016/17, on average, around 11,200 prisoners and detainees were working in custody at any one time across public sector prisons, privately managed prisons and Immigration Removal Centres. They delivered around 16 million hours of work during the course of a year.
Average net earnings per prisoner per month has gone up by £75 (after levy)		£1.1 million was raised from the imposition of the levy on prisoners' earnings to be paid to Victim Support. 368 prisoners per month were working out of the prison on licence and subject to the Prisoners' Earnings Act levy and had average net earnings of £681 per month.
Continued falls in HMPPS commissioned Accredited Programmes starts and completions		In the last seven years, there has been a year on year fall in the number of accredited programme completions in custody commissioned by HMPPS. The number has fallen by 57% from 16,099 in 2009/10 to 6,960 in 2016/17. There has been a 69% fall in accredited programme completions in the community, from 17,545 in 2009/10 to 5,473 in 2016/17.
The percentage of positive drug tests has increased by 1.7 percentage points		9.3% of random mandatory drug tests were positive. This is the highest level since 2005/06 but is predominantly driven by more prevalent cannabis use.
The number of prisoners with an IEP status has remained steady		In the 12 months to March 2017, there were, on average, 85,636 prisoners with an IEP status. Just over half, or on average 43,134 prisoners had a standard IEP status. The number is 3% lower than in the previous year.

<p>The number of applications to Mother and Baby Units fell by 17%</p>		<p>In 2016/17 there were 119 applications received to a MBU, a fall of 17% when compared with 2015/16. This continues the downward trend seen since 2010/11. There were 38 mothers and 40 babies in a MBU at the end of the financial year 2016/17 – slightly more than in the previous year.</p>
<p>The number of subjects actively monitored with an EM device has decreased by 9%</p>		<p>In 2016/17, the total number of subjects actively monitored with an Electronic Monitoring (EM) device and open EM order was 11,493. There has been a general downward trend in the number of subjects actively monitored.</p>
<p>The number of BASS referrals has increased by 11% in the last year</p>		<p>There was 1,957 referrals for Bail Accommodation and Support Services in 2016/17, an increase of 11% on the 1,770 made in the previous year.</p>
<p>8% of NOMS Staff who declared their race, were classified as Black, Asian and Minority Ethnic.</p>		<p>Of all NOMS staff, public sector prison staff had the lowest BAME representation rates with 7% of staff who declared their race as BAME, compared to 13% of staff in NOMS HQ and area services.</p>
<p>NOMS staff lost an average of 10.4 working days to sickness absence</p>		<p>In 2016/17, NPS staff had the highest (AWDL) at 12.0 followed by Public Sector Prisons (10.4 AWDL). Absence rates are substantially lower in NOMS HQ and area services overall compared to the operational parts of NOMS (6.1 AWDL).</p>

1. Escapes, Absconds, Failure to Return from ROTL and Releases in Error

Public protection is core to the successful and effective delivery of offender management. In managing offenders in the community, HMPPS² has the protection of the public, including victims, children and vulnerable adults, as an overriding aim in all its activity. HMPPS takes public protection and escapes from prison extremely seriously. An immediate investigation, independent of the prison, is completed following any escape to determine what went wrong and to learn lessons for the future. The vast majority of those who escape are quickly re-captured by the police, then charged and prosecuted. On return to prison, they are re-categorised and moved by HMPPS to a higher security establishment.

Unlawfully-at-large incidents are categorised by the level of security measures the prisoner had to overcome to gain their liberty:

- **Escape**³: A prisoner **escapes from prison** if they unlawfully gain their liberty by breaching the secure perimeter of a closed prison. A 'Category A escape' means the escape of a Category A prisoner. Category A prisoners are those whose escape would be highly dangerous to the public, the police or the security of the State. A prisoner **escapes from an escort** if they are able to pass beyond the control of escorting staff and leave the escort, the van or the building (court, hospital etc.).
- **Abscond**: An abscond is an escape that does not involve overcoming a physical security restraint such as that provided by a wall or fence, locks, bolts or bars, a secure vehicle, handcuffs or the direct supervision of staff. By definition, an abscond is only possible from prisons with open conditions.
- A **temporary release failure** while on release on temporary licence (ROTL) occurs when a prisoner fails to adhere to any condition written into the licence that permits their temporary release. Such conditions include the date and time by which the prisoner is required to return to the prison and may also place restrictions on where the prisoner may go and whom they may visit during the period of release, etc.
- **Failures to return** after release on temporary licence are the subset of temporary release failures where a prisoner has not returned to the establishment by the designated time. If the prisoner returns shortly after the designated time, the failure may be classified as a late return, as opposed to a failure to return, at the discretion of the establishment. A prisoner who fails to return is considered to be unlawfully at large.

Conversely, a prisoner is **released in error** if they are wrongly discharged from an establishment or court when they should have remained in custody, provided the prisoner has not deliberately played a part in the error (i.e. the prisoner had no intent of escaping). Examples include misplaced warrants for imprisonment or remand, recall notices not acted upon, sentence miscalculation or discharging the wrong person on escort.

If it is believed that the situation was in any way manipulated by the prisoner, for example by taking the identity of another person, then this will be classified as an escape, and not a release in error.

² As HMPPS was known as NOMS during the 2016/17 financial year, the latter acronym is used when referencing this period.

³ An incident is deemed to be an escape and included in the annual total if (i) the prisoner is at liberty for 15 minutes or more before recapture or (ii) an offence is committed during an escape lasting less than 15 minutes

Escapes

In 2016/17 there were 4 escapes from prisons, 3 from NOMS prisoner escorts and 8 from contractor escorts⁴, making a total of 15 escapes, an increase of 2 on the previous two financial years. Of the 15 escapees in 2016/17, 1 remained still at large as at 30 April 2017.

Of the 4 escapes from prisons, two were from a Male Local prison and two were from Male Category C prisons. The number of escapes from prison has remained very low, not exceeding 4 in any financial year since 2005/06.

Of the 3 escapes from NOMS escorts, one was from a Male Local prison, one from a Male Category B and another from a Male Category C prison. The number of escapes from NOMS escorts has remained very low, not exceeding 4 in any financial year since 2007/08.

There were 8 escapes from contractor escort, the lowest number in any financial year in the time series alongside 2015/16.

There were no Category A prisoner escapes from prisons or NOMS escorts. In the last 21 years, since 1996/97, there have only been two Category A escapes, occurring in 2011/12 and 2012/13.

Figure 1.1: Contractor escort journeys and escapes from contractor escorts, 2012/13 to 2016/17

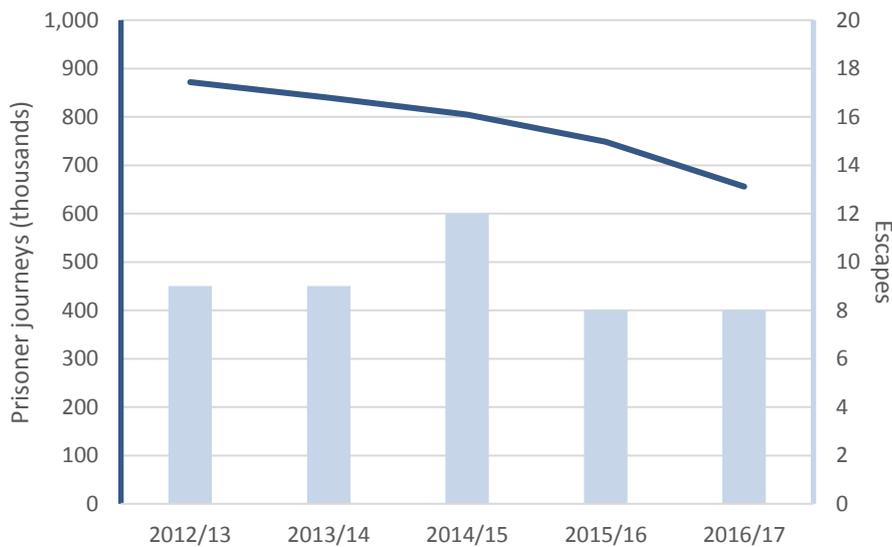


Figure 1.1 above shows the number of contractor escort journeys and escapes from contractor escorts. The number of prisoner journeys by contractor escort has been steadily decreasing, due to increasing use of video link technology for court appearances. There were still over 650,000 contractor escort journeys in 2016/17, 8 of which resulted in an escape. This means that there was one escape for every 81,981 prisoner journeys by contractor escort. Very small changes in the number of escapes from contractor escort will have a very large effect on the ratio of total contractor escort escapes to total prisoner journeys, so caution should be used in comparing the ratio from year to year.

⁴ Please see the Glossary for definitions.

Absconds

In 2016/17 there were a total of 86 absconds. This is the lowest number in any financial year in the time series, and represents an 18% reduction from the previous year and 83% drop in the last 10 years, continuing the general downward trend since 2003/04.

Absconds can only occur in prisons with open conditions, with the large majority (88% in 2016/17) occurring at predominantly Open prisons (Male Open, Male Open YOI and Female Open). The remaining absconds are from prisons with open conditions but whose predominant function is of another type. Of those who absconded in 2016/17, 14 were still at large as at 30 April 2017.

Seventy per cent of those who absconded from prison in 2016/17 had main offences of violence against the person (23%), robbery (27%) and theft (20%).

Further details by prison establishment are given in Supplementary Tables 1.14 to 1.16 in the Excel file that accompanies this report.

Failures to return from release on temporary licence

In 2016/17 there were 267 temporary release failures, 42 of which (16%) were failures to return, resulting in prisoners being unlawfully at large. This is an increase of 65% in temporary release failure incidents when compared to 2015/16 and can be partly explained by the increased recording of 'minor failures' such as prisoners returning to the prison after the agreed time. The increase reverses the downward trend since 2012/13 that saw year-on-year falls in the number of failures.

Failures to return increased by 75% from 24 incidents in 2015/16, but this is still the second lowest figure in the time series presented. The proportion of temporary release failures that were failures to return remained similar to that in 2015/16. As at 30 April 2017, there were 6 failure to return incidents occurring in 2016/17 where the offender was still at large.

Temporary release failures of all types (including late returns and further offences) are reported within the Offender Management Statistics Quarterly bulletin⁵.

⁵ www.gov.uk/government/collections/offender-management-statistics-quarterly

Figure 1.2: Temporary release failures and failures to return, 2004/05 to 2016/17

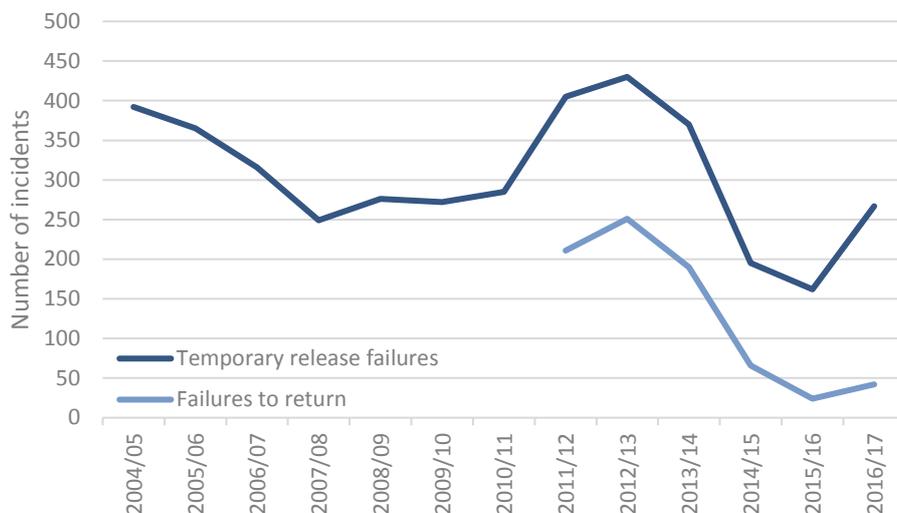


Figure 1.2 shows that while the number of prisoners who fail to return from ROTL mirrors the trend for all temporary release failures, they account for a decreasing proportion of all failures, falling from 52% in 2011/12 to 15% in 2015/16 and 16% in 2016/17. In May 2014, there was a change to the policy on which prisoners are eligible to be transferred to open conditions. Prisoners with a history of escape, absconding or serious temporary release failure during the current sentence have been prevented from transferring to open conditions, other than in the most exceptional circumstances. The policy change is reflected in the lower numbers of failure to return figures for 2015/16 and 2016/17.

Nearly two thirds of the failure to return incidents were for prisoners whose main offence was violence against the person (26%), robbery (19%) or theft (19%). More detail is provided in Supplementary Tables 1.17 to 1.21.

Release in error

In 2016/17, 71 prisoners were released in error. This is an increase of 7 (11%) from 2015/16, and is the highest in any financial year since the time series began in 2006/07. Due to the relatively low numbers, year-on-year changes should be interpreted with caution. The number of releases in error should be compared to the total number of releases in the same time period⁶.

Fifty-eight releases in error occurred from prison establishments, while 13 were during escort or were released in error at the courts. Releases in error from establishments can also be as a result of errors by the court. Prisoners released in error are not considered unlawfully at large. They are not culpable and may be unaware that they have not completed their sentence or have outstanding warrants. Depending on the circumstances of the case, they may not be actively pursued for return to custody.

⁶ www.gov.uk/government/collections/offender-management-statistics-quarterly

2. Prison Population and Crowding

Crowding is measured as the number of prisoners who, at unlock on the last day of the month, are held in a cell, cubicle or room where the number of occupants exceeds the uncrowded capacity of the cell, cubicle or room. This includes the number of prisoners held two to a single cell, three prisoners in a cell designed for one or two and any prisoners held crowded in larger cells or dormitories. For example, if 12 prisoners occupy a dormitory with an uncrowded capacity of 10, then the 12 prisoners are counted as crowded.

The level of crowding for each prison is set by senior operational managers in HMPPS (formerly NOMS) in agreeing the operational capacity of each establishment. Usable operational capacity is the best assessment of the total number of prisoners that the estate can readily hold taking into account control, security and the proper operation of regimes including single cell risk assessments. It allows for the fact that prisoners are managed separately by sex, risk category and conviction status and that the population will not exactly match the distribution of places available across the country. Useable operational capacity is currently set at 2,000 places (the “operating margin”) below the overall capacity of the prison estate.

No prison will be expected to operate at a level of crowding beyond that agreed by a senior operational manager

Figure 2.1 illustrates that in 2016/17, 24.5% of prisoners were held in crowded conditions, the same value as at 2015/16. Although there are yearly fluctuations, crowding levels have remained around 25% across the time series. The target for crowding was removed in 2011/12. Data are still collected for management information purposes.

Figure 2.1: Percentage of prisoners held in crowded conditions, 2009/10 to 2016/17

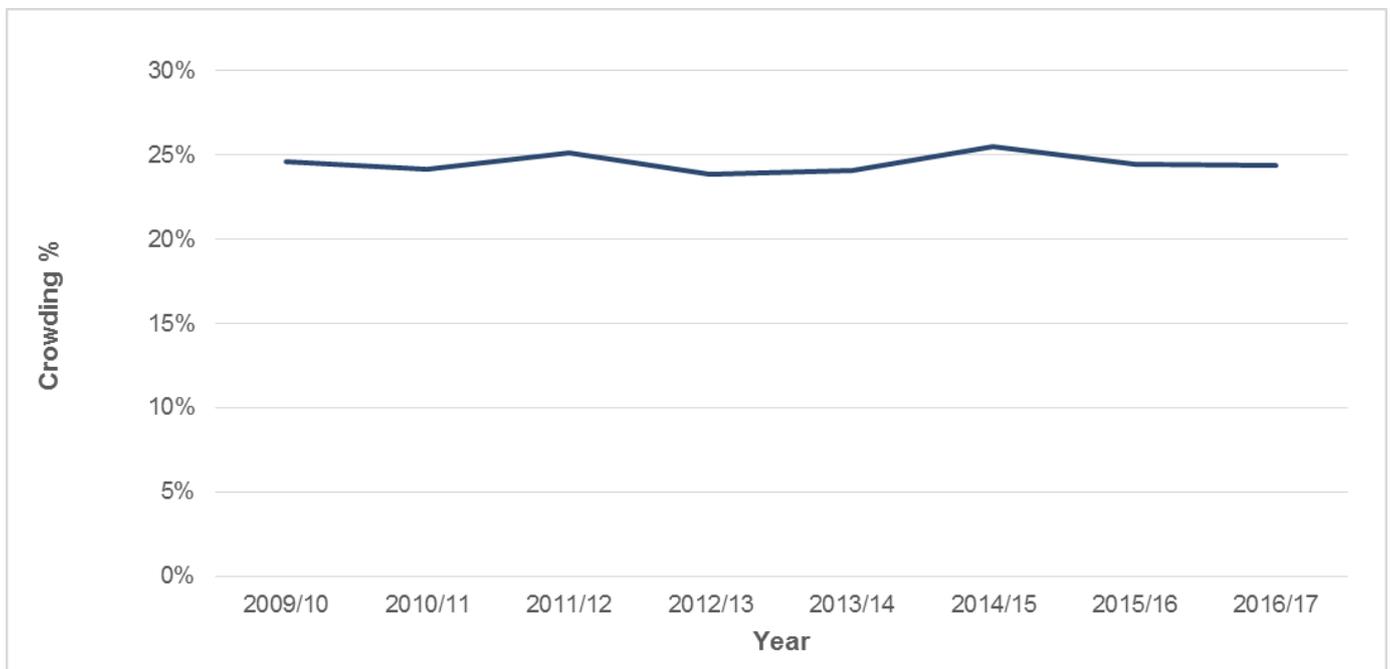
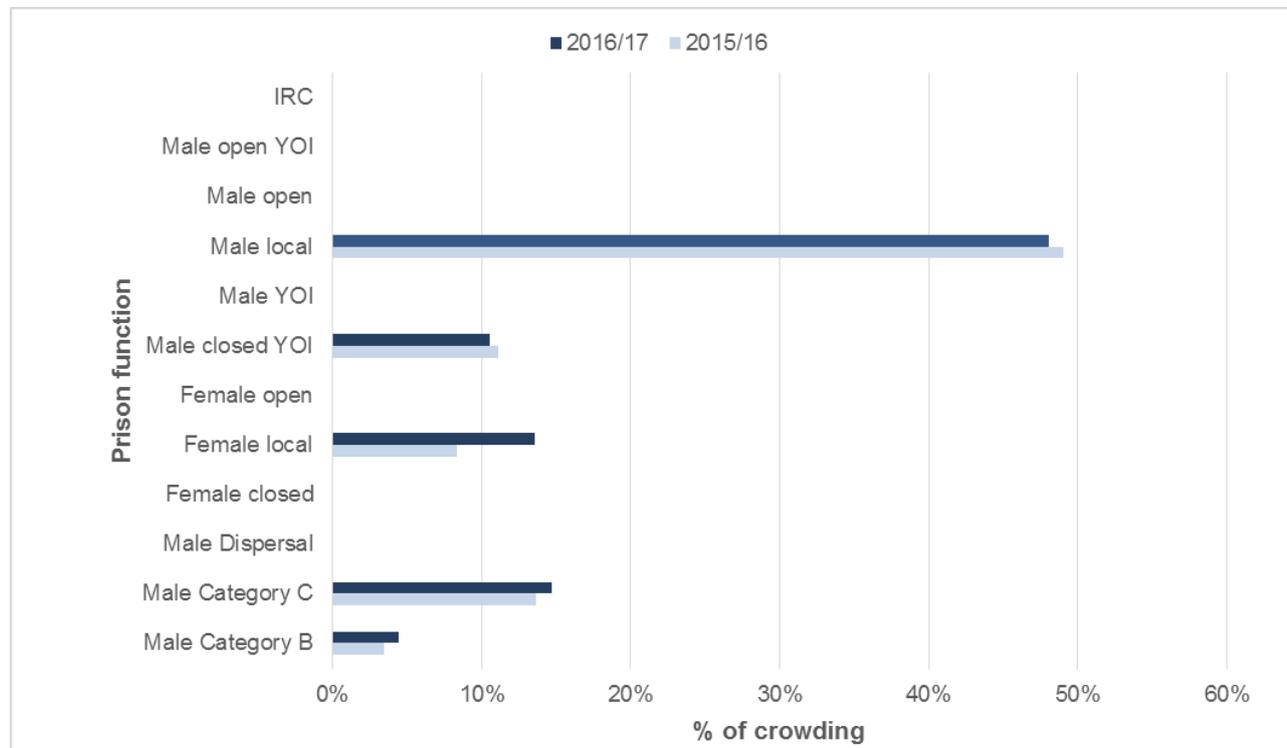


Figure 2.2 show that rates of crowding vary by prison function, with crowding levels highest in Male Local prisons. Crowding is not evenly dispersed across the prison estate; it is particularly concentrated in male local prisons, which are those that serve the courts of a specific area and which predominantly hold remand and short sentenced prisoners. Crowding is significantly less in Category B and C prisons as many of these are training prisons where activities are targeted at reducing re-offending

by providing constructive regimes which address offending behaviour and improve opportunities on release. Crowding data are displayed by the prison function as they stood at the end of 2016/17, carried back to 2015/16 for comparability.

Figure 2.2: Percentage of crowding by prison function⁷, 2015/16 to 2016/17



⁷ Prison function is determined using the 2016/17 list of functions

3. Foreign National Offender Referrals

Prisons are required to refer all foreign national offenders (FNOs), including those whose nationality is unknown, to Home Office Criminal Casework within 10 working days of receiving a custodial sentence (except where release is due within one calendar month, when the referral must be made immediately). This is to make sure FNOs receive due consideration for deportation/removal by the Home Office before their release.

Information on FNO referral timeliness has been routinely collected and monitored since 1 May 2014 following a review and changes to the referral process. FNO referral performance information was not published in any other NOMS/HMPPS or Ministry of Justice publication prior to 2014/15. Also, data recording was changed in June 2015 hence the separate recordings in the Supplementary Table 3.1. As such, a year-long parallel comparison of these prior years cannot be made with information in the current time series. The supplementary table gives data by financial year from 2014/15 to 2016/17.

For the current period from April 2016 to March 2017, 9,088 of the 9,882 total referrals made to the Home Office, were made within the required 10 working days. This represents a referral rate of 92%, exceeding the 90% target and is at its highest level.

4. Prisoners Working in Custody

The Government remains committed to the ambition to increase work in prisons. The intention is to have more prisoners working and working longer hours in an 'employment like' atmosphere. The aim of this is:

- to make sure that prisoners are occupied in purposeful activity whilst in establishments;
- to give offenders the opportunity to learn new skills and experience and support finding employment on release.

HMPPS (formerly NOMS) is committed to working with businesses and other government departments to significantly increase work activity undertaken by prisoners in custody. ONE3ONE Solutions is the HMPPS vehicle with responsibility for finding increased work for prisons. ONE3ONE collaborate with Public and Private Sector Prisons, who then have the responsibility to deliver the work.

In 2016/17, on average, around 11,200 prisoners and detainees were working in custody at any one time across public sector prisons, privately managed prisons and Immigration Removal Centres. They delivered around 16 million hours of work during the course of a year.

Supplementary Table 4.1 shows that the average number of prisons working in public sector prisons and IRCs in 2016/17 was 9,400 and the number of prisoner hours in work was 13.2 million. These numbers refer to specific types of work as defined in the Guide, and does not include tasks such as cooking, serving meals, maintenance and cleaning. This illustrates that the average number of prisoners working and the number of hours worked has increased since 2010/11.

Supplementary Table 4.2 shows that the average number of prisoners working in privately managed prisons in 2016/17 was 1,800 and the number of prisoner hours in work was 2.8 million working hours. As for Supplementary Table 4.1, these numbers refer to the types of work as defined in the Guide.

5. Prisoners Earnings subject to the Prisoners' Earnings Act 1996

The Prisoner Earnings Act (PEA) commenced on 26 September 2011. It enables prison governors to impose a levy of up to and including 40% on wages over £20 per week (after tax, national insurance, any court ordered payments) of prisoners who have been assessed as being of low risk of absconding or re-offending and allowed to work outside of the prison on temporary licence, in order to prepare for their eventual release.

Tables 5.1 and 5.2 in the Supplementary tables provide management information covering the period since the introduction of prisoners' earnings being subject to the PEA levy. They show the number of prisoners subject to the levy, the net earnings and amounts raised from the levy.

During 2016/17:

- £1.1 million was raised from the imposition of the levy on prisoners' earnings to be paid to Victim Support. This is broadly consistent on a nominal basis with the figure from the previous two financial years, bringing the total raised since October 2011 to £5.4 million.
- There were a total of 1,675 active prisoners, on average 368 prisoners per month, working out of the prison on licence and subject to the Prisoners' Earnings Act levy.
- These prisoners had average net earnings before the levy of around £937 a month, from which on average £256 was raised from the levy to reduce the average net earnings to £681 per month.

6. Accredited Programmes

Accreditation is a system for ensuring that treatment programmes offered to offenders, which aim to reduce reoffending, have a proper theoretical basis, and are designed in accordance with the 'What Works' literature.

HMPPS (formerly NOMS) commissions a range of accredited programmes, varying in length, complexity and mode of delivery. Programmes have been developed to target the particular risks and needs for different types of offending behaviour. To achieve accreditation, programmes must be assessed to make sure they are targeting the right people, focusing on the right things, and being delivered in a way that is most likely to reduce reoffending. All HMPPS commissioned accredited programmes are subject to quality assurance processes to ensure programme integrity is maintained and developed.

In this publication, programmes are grouped into one of five categories: Domestic Violence, General Offending, Sexual Offending, Substance Misuse or Violence.

For monitoring purposes, Offender Behaviour Programmes (OBPs) in **custody** include Domestic Violence, Violence and General Offending completions but exclude Sexual Offender Treatment and Substance Misuse programmes, which are reported separately.

OBP completions in the **community** include Substance Misuse, General Offending and Violence programmes. They exclude Domestic Violence and Sexual Offending Treatment Programmes, which are measured separately.

Accredited Programmes delivered in custody

In the last seven years, there has been a year on year fall in the number of accredited programme completions in custody commissioned by HMPPS. The number has fallen by 57% from 16,099 in 2009/10 to 6,960 in 2016/17. This was caused by a:

- 92% drop in HMPPS-commissioned substance misuse programmes completions;
- 29% drop in HMPPS-commissioned offender behaviour programme being completed;
- 2% rise in HMPPS-commissioned sexual offending programme completions.

This decrease has been primarily driven by the change of programme ownership – and responsibility for running substance misuse accredited programmes - from HMPPS to NHS. As of 1 April 2011, local NHS partnerships assumed these responsibilities and have opted to deliver an increasing proportion of substance misuse programmes which are not CSAAP accredited. The large decreases seen reflect the fact that more and more offenders are completing programmes run by the NHS, rather than HMPPS. This change explains the falls in both custody completions and starts. Excluding Substance Misuse from completions in custody, the fall in the number of completions from 2009/10 to 2016/17 was 25% (8,444 to 6,372).

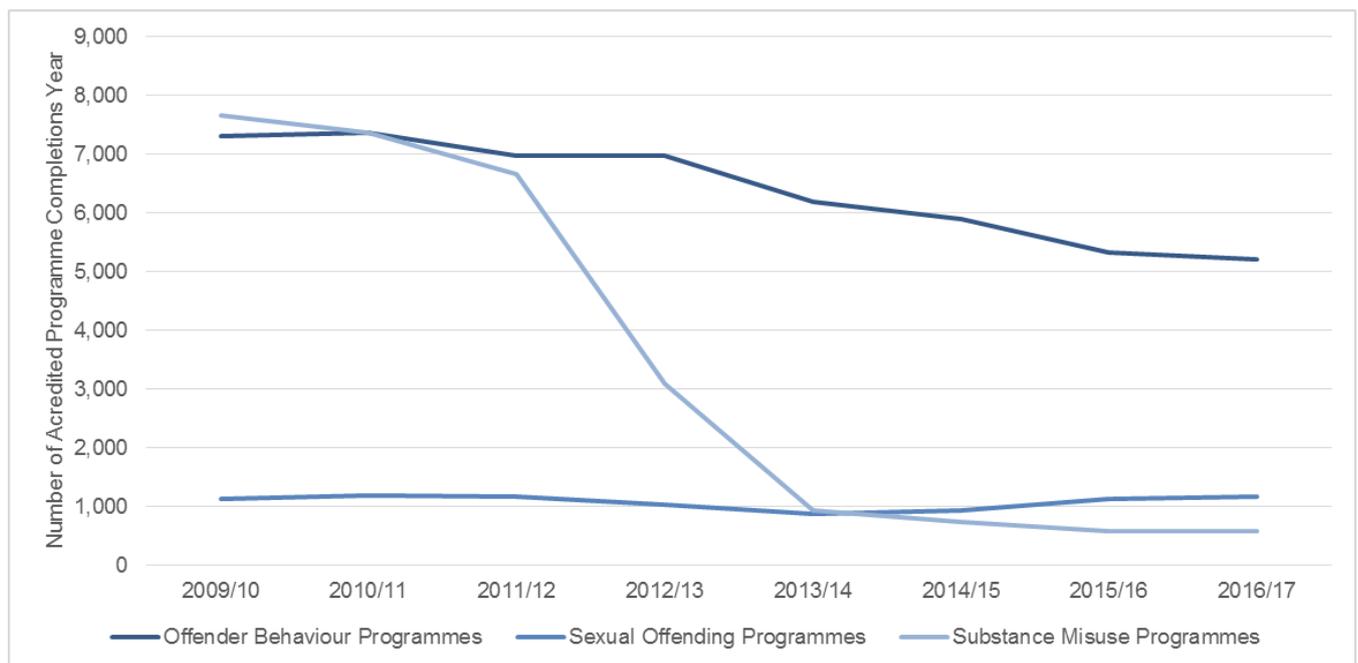
In the last 12 months, there was a 1% fall in the number of completions - from 7,057 in 2015/16 to 6,960 in 2016/17. This is in contrast with the previous year (2014/15 to 2015/16), where the decrease in programme completions was 7%.

The overall fall in completions has not been seen for all programme types. Between 2015/16 and 2016/17, there was a 2% rise in sexual offending treatment programme completions.

Currently offender behaviour programmes account for 75% for all accredited programme completions, sexual offending treatment programmes for 17% and substance misuse programmes account for 8%.

In terms of accredited programme starts, there has been a 61% fall in accredited programme starts in custody, commissioned by HMPPS, falling from 19,528 in 2009/10 to 7,688 in 2016/17. The majority of this decrease was driven by the drop in Substance Misuse programme starts. Excluding Substance Misuse starts from custody starts results in a fall of 25% from 2009/10 to 2016/17. Over the last 12 months, there was a 3% drop in the number of starts.

Figure 6.1: Number of accredited programme completions in custody, 2009/10 to 2016/17



Accredited Programmes delivered in the community

In the last seven years, there has been a 69% fall in accredited programme completions in the community, from 17,545 in 2009/10 to 5,473 in 2016/17. This was driven by a:

- 82% drop in offender behaviour programme completions (offender behaviour programmes in a community setting defined as General offending, Substance Misuse and Violence programmes);
- 25% drop in sexual offending treatment programme completions;
- 38% drop in domestic violence programme completions.

In the last 12 months, the drop in completions was 22%, from 7,056 in 2015/16 to 5,473 in 2016/17. This was due to a:

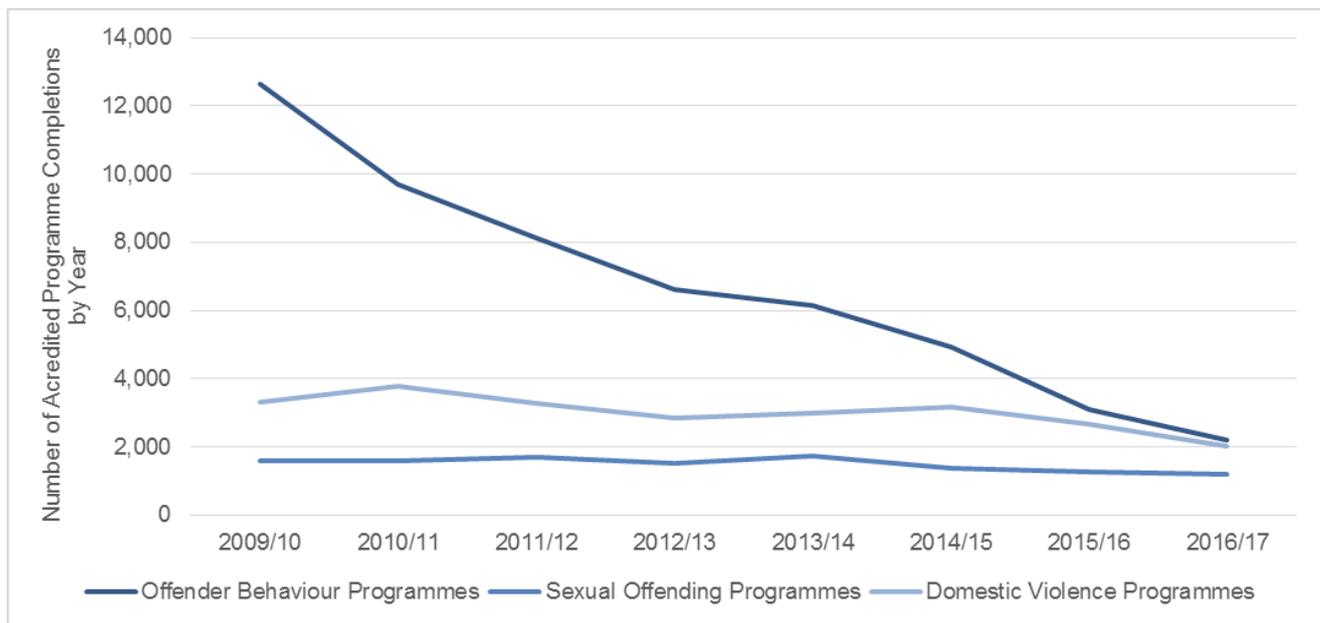
- 28% drop in offender behaviour programme completions;
- 24% drop in domestic violence programme completions;
- 5% drop in sexual offending treatment programme completions.

The reduction in offender behaviour programme completions is in due in part to courts being guided to use alternatives to accredited programmes (e.g. Drug Rehabilitation Requirements (DRRs) and Alcohol Treatment Requirements (ATRs)). The use of alternative sentences have been used, including the more recently introduced Rehabilitation Activity Requirement (RAR).

Currently offender behaviour programmes account for 41% for all accredited programme completions, domestic violence programmes for 37% and sexual offending treatment programmes account for 22%.

In terms of accredited programme starts, there has been a 56% fall in accredited programme starts in the community over the past seven years, falling from 24,972 in 2009/10 to 11,002 in 2016/17. In the last 12 months, the number of starts fell by 15%, from 12,946 in 2015/16.

Figure 6.2: Number of accredited programme completions in the community, 2009/10 to 2016/17

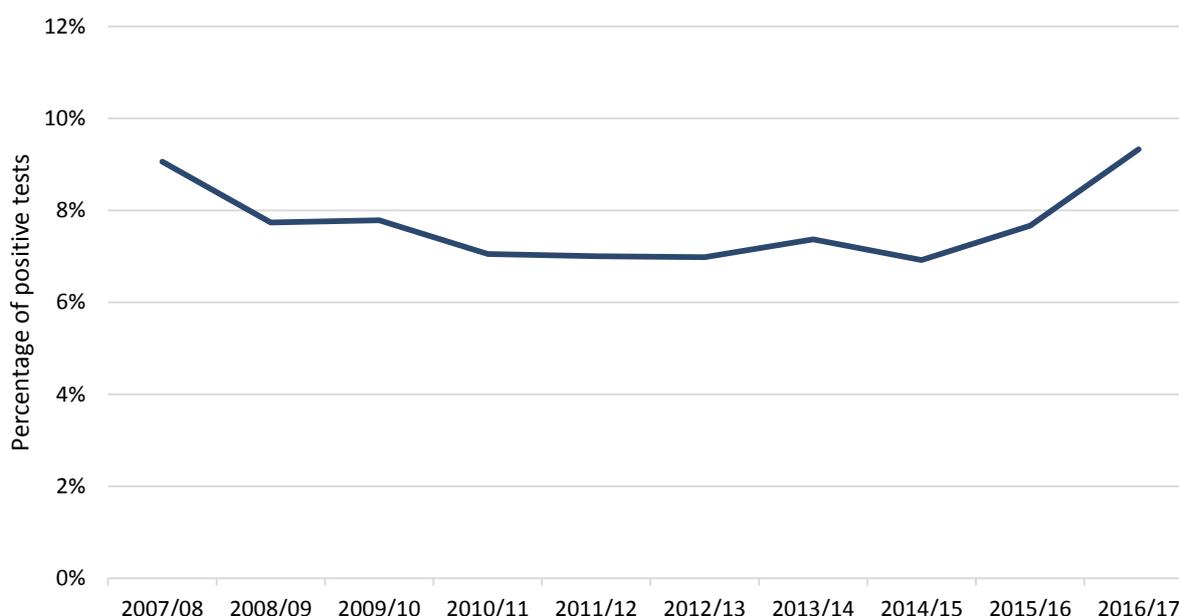


7. Random Mandatory Drug Testing

HMPPS has a comprehensive range of measures to reduce the supply of drugs into prisons including the Random Mandatory Drug Testing (RMDT) programme, which measures the level of drug misuse in prisons. The list of drugs tested⁸ for in 2016/17 is given in the Glossary under the 'Random Mandatory Drug Testing' header. The aim of RMDT is to test a random sample of 5% or 10% of prisoners in each prison (depending on prison capacity) every month and to monitor and deter drug-misuse. Failing a random mandatory drug test is a disciplinary offence that may lead to additional time being added to the individual's time in in custody. RMDT is also used as a trigger for referring individuals who fail tests into treatment.

In 2016/17, 9.3% of RMDTs were positive, an increase of 1.7 percentage points on 2015/16, and the highest annual rate since 2005/06 when 10.3% of tests were positive. Table 7.1 shows the rate of positive tests by prison, as a proportion of tests successfully administered. Sample sizes at the prison level are relatively small, so year-on-year fluctuations should be interpreted with caution

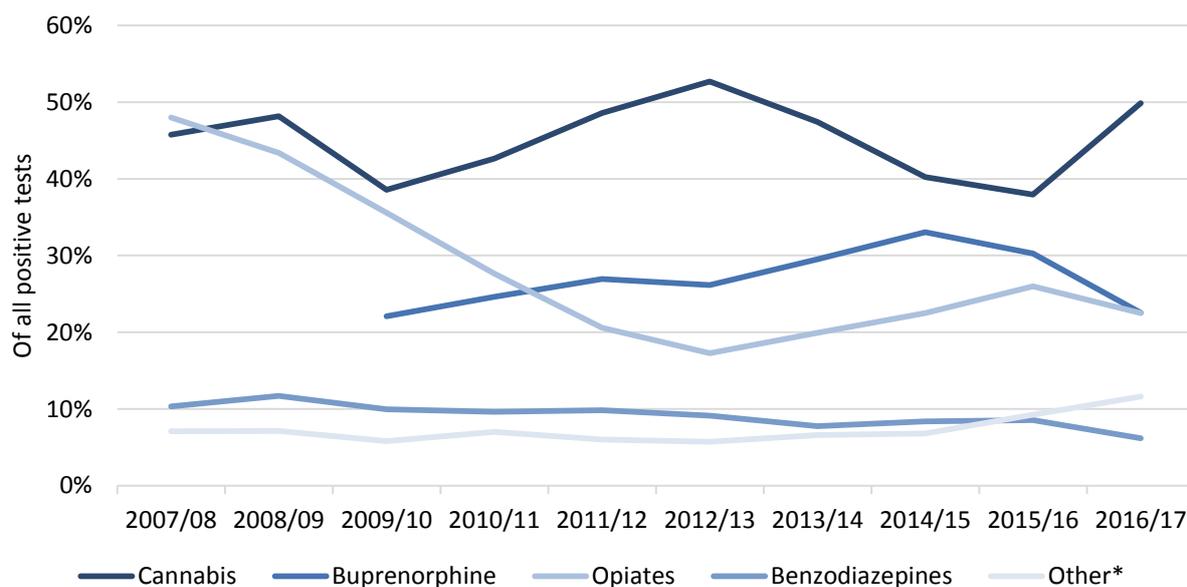
Figure 7.1. Percentage of positive results from random drug tests, 2007/08 to 2016/17



Prisoners have the right to refuse providing a sample for drug testing. In this case, prisoners will be subject to internal disciplinary procedures. This practice is relatively rare, with only 872 refusals (1.6%) out of 56,223 random mandatory drug tests attempted in 2016/17. For the first time, this release of the Annual Digest shows all possible outcomes of RMDT, including refusals, administrative flaws (e.g. misrecording by the prison) and sample spoilage (e.g. broken or otherwise compromised sample). These three categories account for a small proportion of tests attempted (2.5%), with over 97% of all RMDT attempts successfully tested. The detailed breakdown of outcomes, by prison function, is included in Supplementary Table 7.3 in the Excel file accompanying this publication.

⁸ RMDT for novel psychoactive substances (NPS) was rolled out during September 2016. NPS drugs are excluded from the data presented, but the intention is to include them in the 2017/18 Annual Digest.

Figure 7.2. Positive drug tests by drug type, 2007/08 to 2016/17



* Other includes amphetamines, barbiturates, cocaine and methadone

Figure 7.2 (and Supplementary Table 7.2) shows that in 2016/17, the most prevalent drug types were cannabis (50% of positive samples), opiates and buprenorphine (marketed as Subutex), with 22% and 23% of positive samples, respectively⁹. Note that since each sample may test positive for more than one drug, the rows in this table sum to more than the total number of positive tests.

RMDT for novel psychoactive substances (NPS) marketed under street names such as Spice and Black Mamba was rolled out in prisons during September 2016 with further new tests added in subsequent months to test for various other NPS chemical formulations. Results for these tests will be included in the Annual Digest once a full and reliable performance year's data are available.

Although far below its historical high at 80% of all positive samples in 1998/99, cannabis use saw a resurgence in the latest period, with 50% of all positive samples indicating the presence of cannabis compared to 38% in 2015/16. In the same period, the number of positive tests for cannabis rose by 59% to 2,549 tests in 2016/17. The rise corresponded with the inclusion of NPS in RMDT as well as the introduction of the Psychoactive Substances Act 2016¹⁰ in May 2016 that aimed to restrict the production, sale and supply of NPS.

Supplementary Table 7.4 provides a further breakdown of positive tests by drug type for each prison in 2016/17. The RMDT data tool published alongside this Annual Digest contains detailed information on each drug test over the past 10 performance years, and allows users of the statistics to produce their own breakdowns, including cross-tabulating positive tests by drug type, prison establishment and month/year.

⁹ Testing for buprenorphine (Subutex) was introduced in 2008/09 and first reported in the 2009/10 performance year.

¹⁰ Psychoactive Substances Act 2016, <https://www.gov.uk/government/collections/psychoactive-substances-bill-2015>

8. Incentives and Earned Privileges

The Incentives and Earned Privileges (IEP) scheme was introduced in 1995 with the expectation that prisoners would earn additional privileges through demonstrating responsible behaviour and participation in work or other constructive activity. On 30 April 2013, Ministers announced the outcome of a review of the IEP national policy framework and made it clear that, in order to earn privileges, prisoners will now have to work towards their own rehabilitation, behave well and help others.

Part of the revisions to the national policy framework, which came into effect on 1 November 2013, saw the introduction of the new Entry level which sits between Basic and Standard level, as such only figures for the last 2 financial years are shown.

In line with the national policy, local incentive schemes operate on four levels: Basic, Entry, Standard and Enhanced. IEP arrangements must be fair, consistent and not subject to unfair discrimination. They support the requirements of the establishment and meet the needs of the population where practicable. Basic level provides access to the safe, legal and decent requirement of a normally running regime.

In the 12 months to March 2017, there were, on average, 85,636 prisoners with an IEP status. This number has been steady over the last two years.

Examined by type of IEP status, of the 85,636 prisoners with an IEP status:

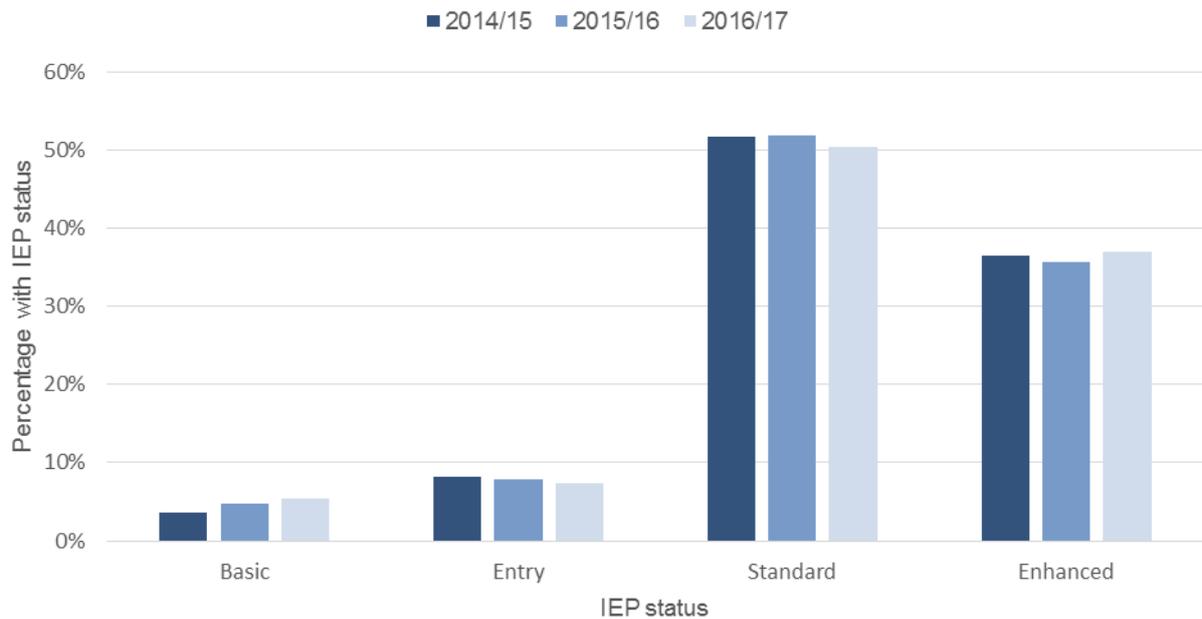
- Just over half, or on average 43,134 prisoners had a standard IEP status. The number is 3% lower than in the previous year.
- 37%, or on average 31,670 prisoners had an enhanced IEP status. This represents a 4% increase on the number in the previous year.
- 5%, or on average 4,563 prisoners had a basic IEP status. This is an increase of 10% on the number of prisoners in previous year.
- 7%, or on average 6,269 prisoners had an entry IEP status. This is a fall of 6% on the number in the last year.

The proportion of prisoners with a standard IEP status has decreased over the last year (by 1.4 percentage points), whilst the proportion with enhanced or basic status has increased (by 1.4 and 0.5 percentage points respectively).

Both the number and proportion of prisoners with a basic IEP status has continued to rise since 2014/15 (as shown in Figure 8.1). The cause of the increase in the proportion of prisoners on this status remains unknown. However, rises have coincided with increased violence in prisons, with assault incidents up by 20% in the 12 months to March 2017 and by 58% since March 2015¹¹.

¹¹ <https://www.gov.uk/government/collections/safety-in-custody-statistics>

Figure 8.1: Percentage of Prisoners on each IEP level, 2014/15 to 2016/17



The proportion of prisoners assigned to each type of IEP status varies considerably by type of establishment. In the 12 months to March 2017, Male YOI and Male closed YOI had the largest proportion of prisoners with a basic IEP status, 22% and 12% respectively, over 4 times and 2 times above the average. This is consistent with the generally more challenging behaviour seen from younger people in custody. Immigration and Removal Centres, Male open YOI, Female open and Male open had the largest proportion of prisoners with an enhanced IEP status, 92%, 91%, 90% and 85% respectively. These first three prison types had no prisoners with a Basic IEP status.

9. Mother and Baby Units (MBUs)

A Mother and Baby Unit (MBU) is a designated living accommodation within a women’s prison which enables mothers, where appropriate, to have their children with them. Women who are pregnant or who have children under the age of 18 months can apply for a place in an MBU. Details of the process are given in the Guide.

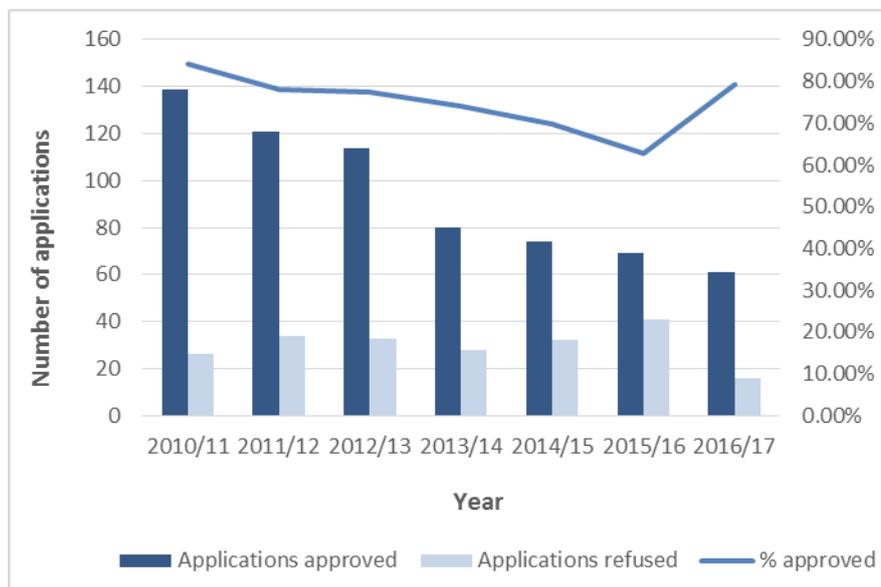
Supplementary Table 9.1 gives data by financial year from 2010/11 to 2016/17. The figures for historic years have been revised for the number of mothers and babies in a MBU at year end.

There are currently five MBUs in operation¹² across the women’s prison estate in England and Wales which provide an overall total capacity of 52 places for mothers. However, there are a total of 57 places for babies to allow for twins.

In 2016/17 there were 119 applications received to a MBU, a fall of 17% when compared with 2015/16. This continues the downward trend seen since 2010/11:

- Of the 77 applications that resulted in a recommendation (either approved or not approved by a board)¹³, 79% were approved. This compares with 63% for 2015/16 and 84% for 2010/11.
- 61 women and 51 babies were received into a MBU in the 2016/17 financial year. This compares with 64 women and 57 babies in 2015/16 and is a continuation of the fall seen since 2010/11.
- There were 38 mothers and 40 babies in a MBU at the end of the financial year 2016/17 – slightly more than in the previous year (where there were 36 mothers and 36 babies).

Figure 9.1: Number of approvals and refusals to a MBU, 2010/11 to 2016/17



¹² The MBU at Eastwood Park has been temporarily closed since May 2016. There are 6 MBUs in England and Wales.

¹³ Not all applications to MBUs will be approved or refused, many will not proceed for other reasons. Applications may not be assessed in the period in which they are received.

10. Electronic Monitoring

Electronic monitoring was introduced in 1999 to support the police, courts, prisons and wider justice system in England and Wales.

It is a way of remotely monitoring and recording information on an individual's whereabouts or movements, using an electronic tag which is normally fitted to a subject's ankle. The tag transmits this information, via a base unit installed in a subject's residence, to a monitoring centre where it is processed and recorded in case management systems. Staff in the monitoring centre review this information to see whether an individual is complying with the conditions of their curfew or other electronically monitored requirement. Where a subject is not complying, the electronic monitoring provider either acts on this information themselves or provides it to the relevant authority to take the necessary enforcement action.

Electronic monitoring may be used:

- as a condition of court bail;
- as a requirement of a court sentence, including community orders and suspended sentences;
- as a licence condition following release from custody, including Home Detention Curfew;
- as a condition of immigration bail, managed by the Home Office; and
- to intensively monitor a small number of subjects on specialist orders including Multi-Agency Public Protection Arrangements (MAPPA), Special Immigration Appeals Commission (SIAC), and Terrorism Prevention and Investigation Measures (TPIMs). Some of these more specialised orders are monitored with a Global Positioning System (GPS) tag rather than a radio frequency (RF) tag.

Since the financial year 2014/15, EMS Capita has supplied the electronic monitoring service under contract to the Ministry of Justice. Prior to this, from 2005 to 2014, electronic monitoring services were supplied in two regional contracts by G4S and Serco.

At 31 March 2017, the total number of subjects actively monitored with an Electronic Monitoring (EM) device and open EM order was 11,493, a fall of 9% compared to the same point in the previous year. Figure 10.1 shows that there has been a general downward trend in the number of subjects actively monitored.

The falling EM caseload coincides with decreases in the court caseload. As court orders (bail and court) with an EM requirement make up 76% of the EM caseload, then falls in court cases would likely cause decreases in the overall EM caseload.

Figure 10.1: Overall Number of Subjects with an Active Electronic Monitoring Order, as at 31 March 2014 to 31 March 2017

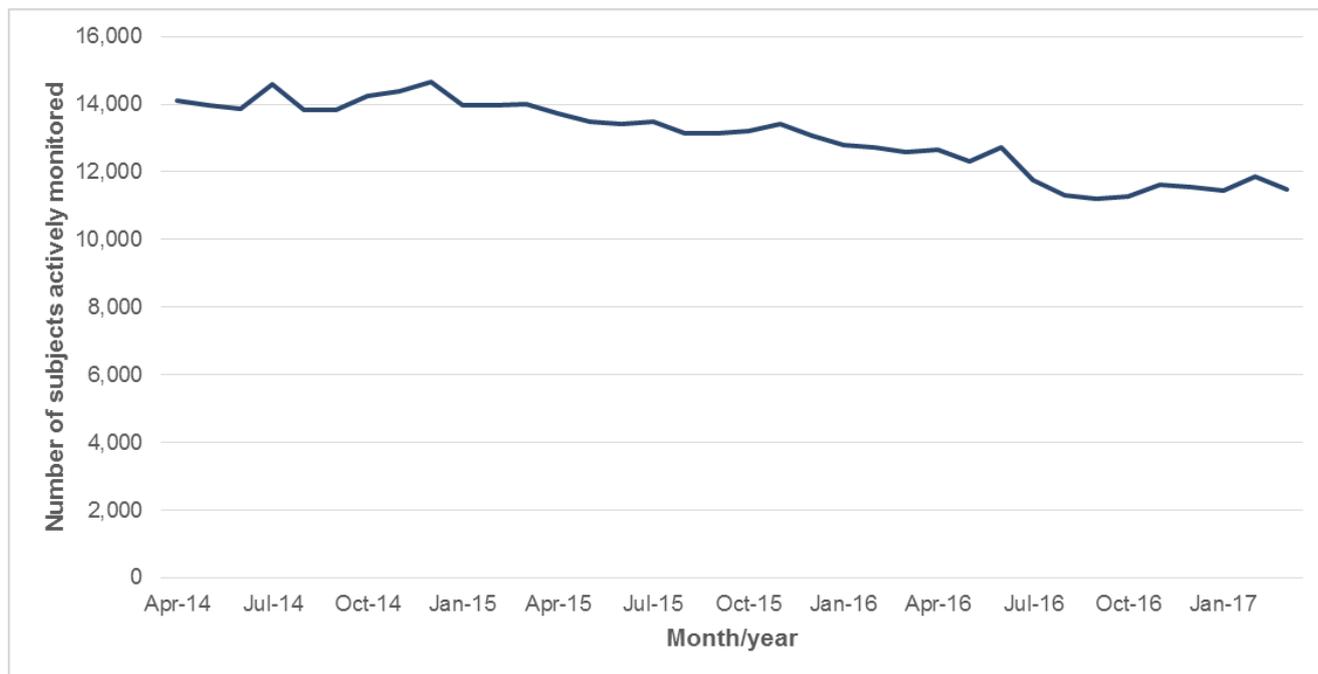
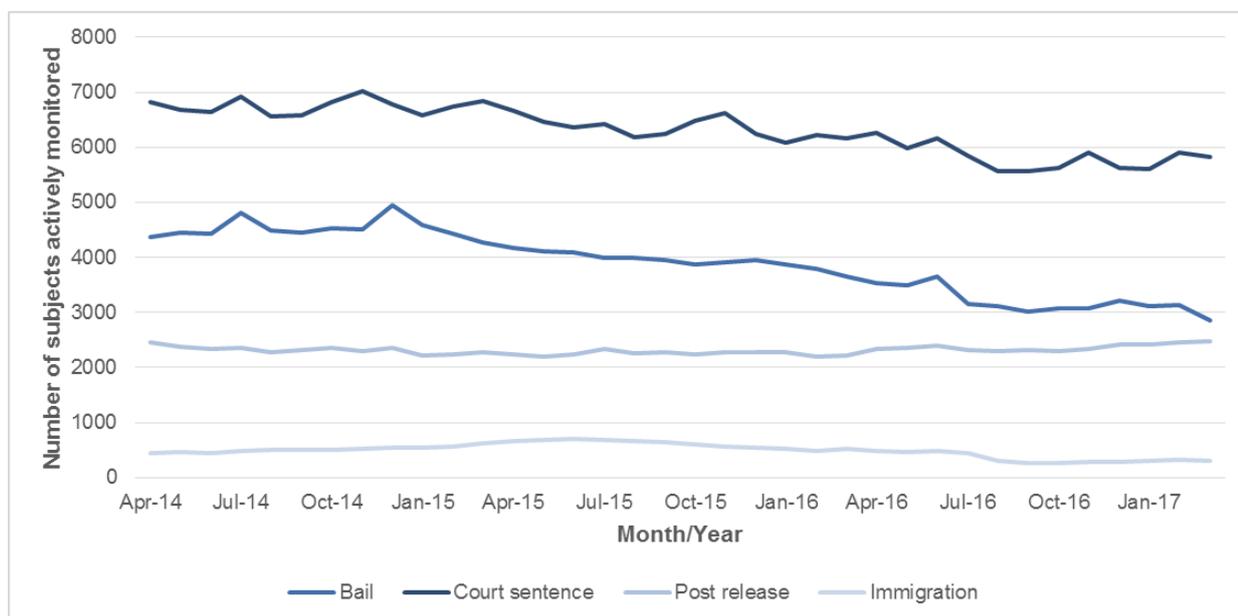


Figure 10.2: Overall Number of Subjects with an Active EM Order, by Order Type (excluding specials), as at 31 March 2014 to 31 March 2017



The EM caseload differs considerably by type of order in both absolute number and trend over time:

- Court orders make up the largest proportion of EM orders, (51% of the caseload). At 31 March 2017, court orders accounted for 5,822 subjects, down by 6% on the previous year.
- Bail Order type was the second largest group with 2,862 subjects (25% of caseload), down by 22% on the same point in the previous year.

- Post release was the third largest group, and the only order type that increased the number of orders, with 2,484 subjects (22% of caseload), increasing by 12% when compared to the previous year.
- Immigration order type also decreased, with 298 subjects (3% of the caseload), down by 44% on the previous year.
- Specials caseload made up a small (<30) part of the caseload and numbers are highly volatile over time.

EM Court orders have all fallen (court, bail and immigration), whereas post release EM orders (prison) have remained stable over the time series. Although the reason for the fall in court orders is unknown, there is a similar trend in overall numbers of court cases.

In the 12 months to the end of March 2017, there were 63,413 new EM notifications¹⁴, a fall of 8% when compared to the same period in the previous year. The falling trend for new notifications closely mirrors that of EM subject caseload.

¹⁴ A subject can have more than one notification of an order over the year.

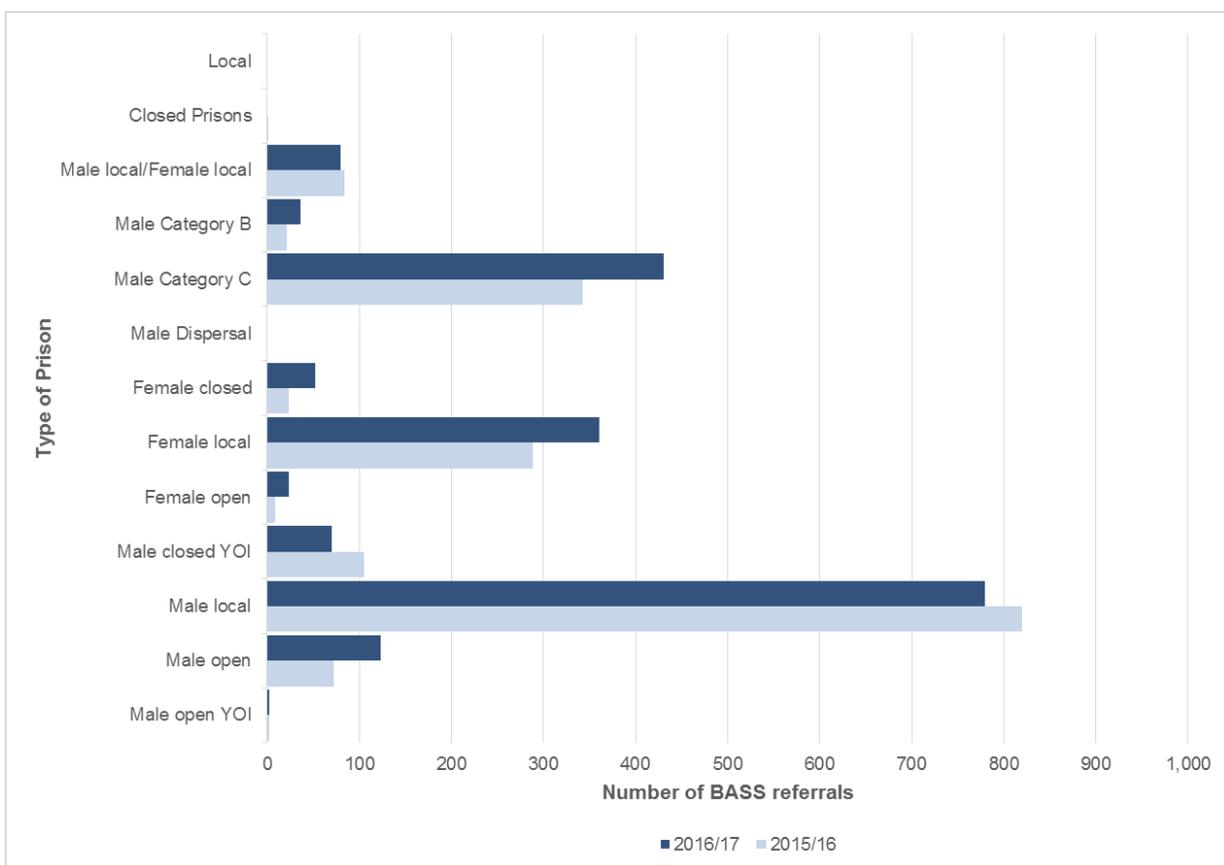
11. Bail Accommodation and Support Services

Bail Accommodation and Support Services (BASS) provide accommodation to offenders from courts, offenders from custody and Home Detention Curfew requirement offenders. These offenders are placed in BASS-owned properties when they do not have a permanent place to live.

BASS is a contract supplied by Stonham, part of HomeGroup, since June 2010. Before this time, the contract was supplied by ClearSprings who held the contract from June 2007 to June 2010. BASS was first commissioned in June 2007.

The current contract has been extended and is due to end in June 2018. Work is underway to put the contract to a national tender.

Figure 11.1: Number of referrals made to BASS by selected Prison Category, 2015/16 to 2016/17



In the financial year 2016/17, there was 1,957 referrals, an increase of 11% on the 1,770 made in 2015/16.

As for 2015/16, the highest number of referrals in 2016/17 came from Male Local prisons with 779 – a decrease of 5% compared to the 2015/16. In 2016/17 there were 431 referrals from Male Category C prisons - an increase of 26% on 2015/16. The number of referrals from Female Local prisons also went up, by 25% to 361.

Figure 11.1 provides the number of referrals made by selected type of prison. Data for individual prisons can be found in Supplementary Table 11.1.

12. Staff: Staff in Post

Black, Asian and Minority Ethnic Staff

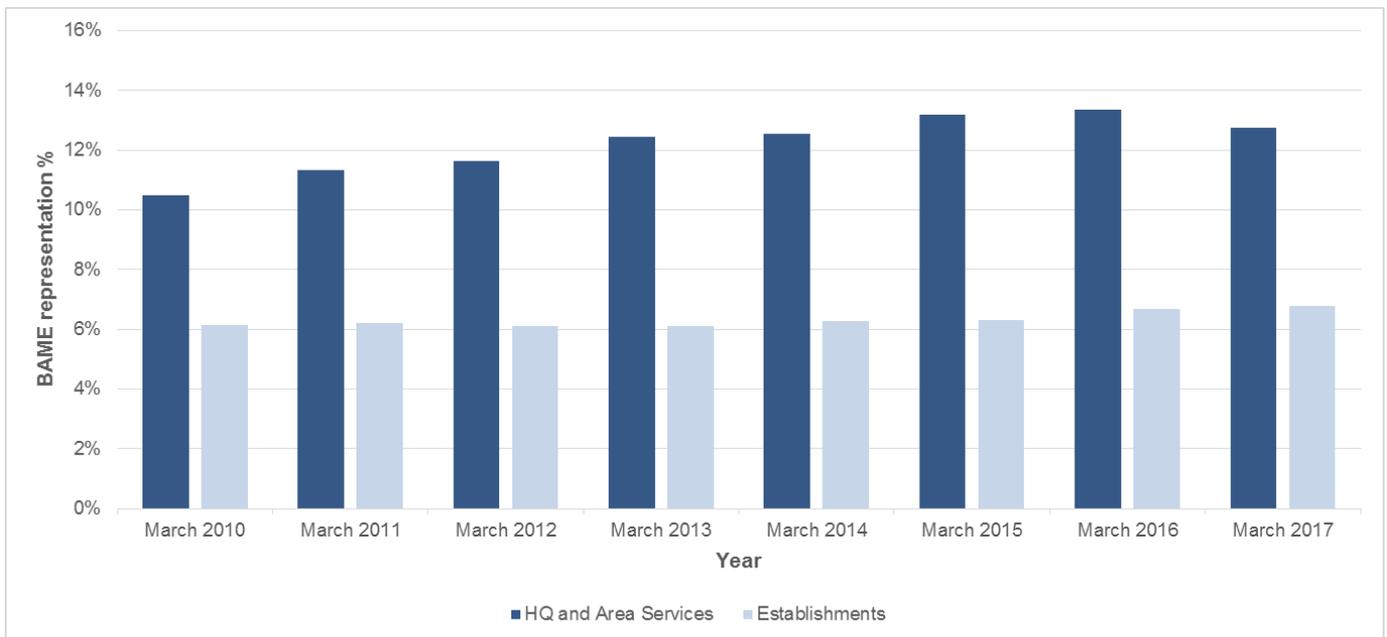
As at 31 March 2017 there were 46,021 NOMS staff in post (based on headcount)¹⁵. 77% of whom had declared their race. 8% of individuals who declared their race were classified as Black, Asian and Minority Ethnic (BAME).

Of all NOMS staff, public sector prison staff had the lowest BAME representation rates with 7% of staff who declared their race as BAME, compared to 13% of staff in NOMS HQ and area services.

Since 31 March 2016, BAME representation rates have increased slightly in public sector prison staff (by 0.1 percentage points) whilst the representation rates for NOMS HQ and area services have decreased by 0.6 percentage points.

As at 31 March 2017, public sector prison staff had the highest race declaration rate overall (82%) of any sector. However, this represented a 2.6 percentage point decrease compared to the 31 March 2016. Over the same period, a 1.0 percentage point declaration rate increase was observed amongst staff in NOMS HQ and area services (from 77% to 78%), whilst the declaration rate of NPS staff was 59% and increased by 9.6 percentage points (from 50%). However, the rate for the NPS is below the level at which meaningful consideration of BAME representations can be made.

Figure 12.1: BAME Declared Staff as a Proportion of Staff with Recorded Ethnicity⁽¹⁾, 31 March 2010 to 31 March 2017



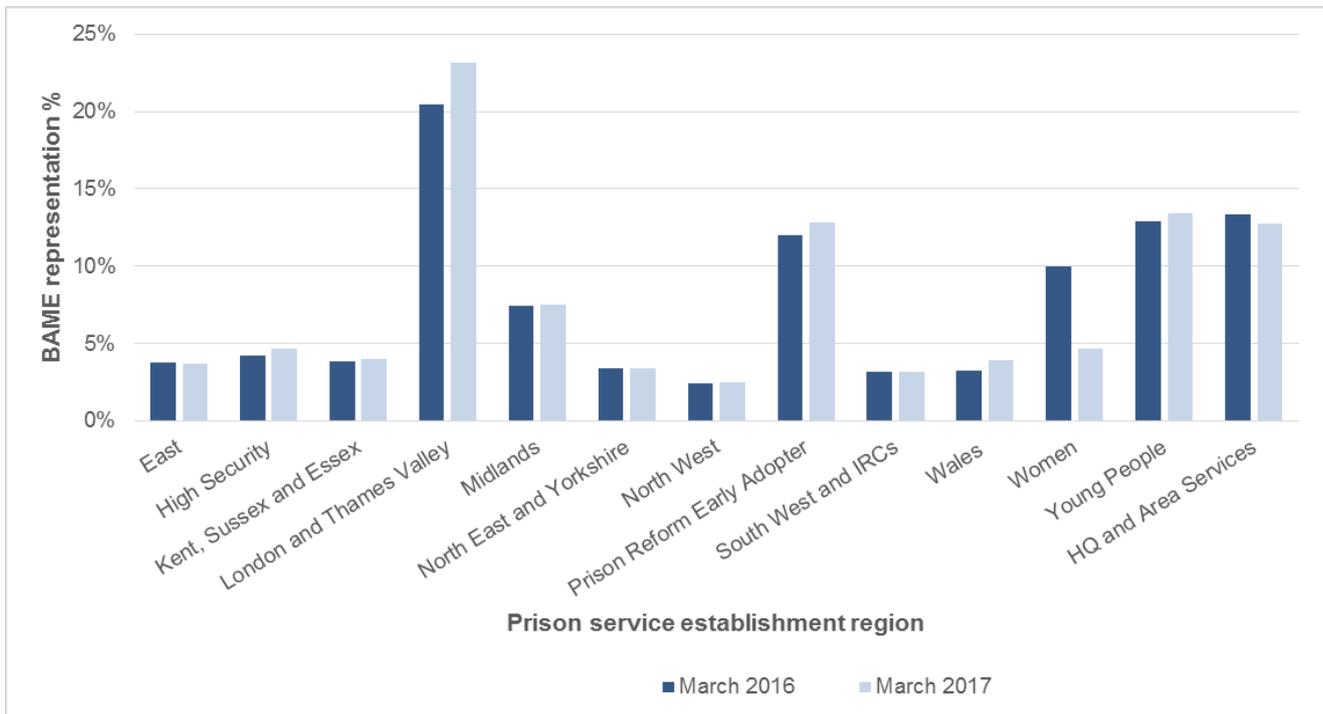
(1) BAME representation rates for the NPS are not shown due to declaration rates being too low.

¹⁵ BAME staff numbers and representation rates by sector are published in the NOMS Workforce Statistics Bulletin, 31 March 2017 at <https://www.gov.uk/government/statistics/national-offender-management-service-workforce-quarterly-march-2017> (Tables 5a - 5c).

Figure 12.2 shows the proportion of BAME declared staff in public sector prisons by region. To some extent, the representation rate mirrors the population from which staff are drawn.

Establishments within London and Thames Valley had the highest BAME representation rates with 23% of staff declaring their race as BAME as at 31 March 2017. In comparison, establishments in the North West had the lowest BAME representation rate at 2.5%. Women’s estate is the only operational area where the BAME representation rate has decreased substantially, from 10% in 2016 to 5% in 2017. However any changes in representation rates since the previous year need to be treated with caution given prison establishment closures between the two periods (refer to the Guide for details)

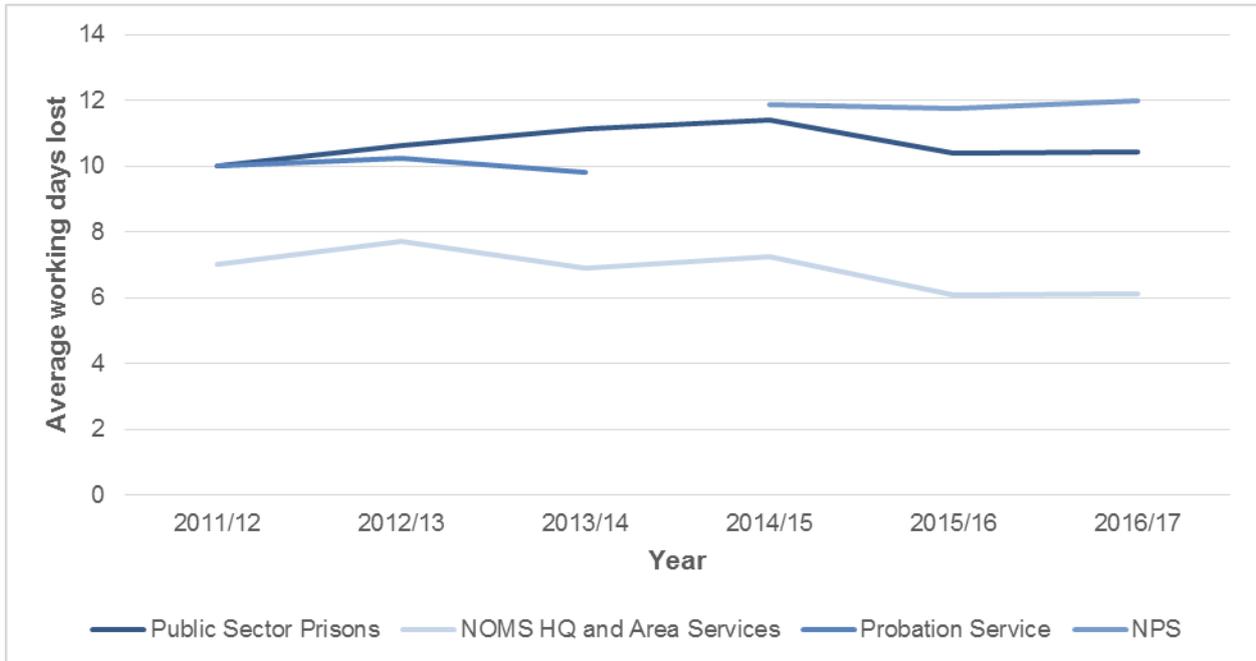
Figure 12.2: Percentage of BAME Staff in Public Sector Prisons by Region, as at 31 March 2016 and 2017



13. Staff: Sickness Absence

The indicator of staff sickness looks at the average working days lost (AWDL) through sickness absence in NOMS HQ and area services, public sector prisons and the National Probation Service (NPS). Data are not presented for privately managed prisons and the Community Rehabilitation Companies (CRCs) as NOMS has no responsibility for sickness in private companies

Figure 13.1: Average Working Days Lost Due to Sickness Absence, 2011/12 to 2016/17



Supplementary Table 13.2 sets out the distribution of average working days lost through sickness absence across prison operational regions, NOMS HQ and Area Services as well as NPS divisions over the last two years.

In 2016/17, NOMS staff lost an average of 10.4 working days to sickness absence. This is the same as in the previous year, but a reduction of 0.8 days on 11.2 average working days lost (AWDL) In 2014/15.¹⁶

- In 2016/17, NPS staff had the highest AWDL at 12.0 followed by Public Sector Prisons (10.4 AWDL). Absence rates are substantially lower in NOMS HQ and area services overall compared to the operational parts of NOMS (6.1 AWDL).
- Despite some variation at regional level, both public sector prisons overall and NOMS HQ and area services showed no change in absence rates from 2015/16 to 2016/17.
- For NPS staff, there has been an increase of 0.3 days in average working days lost when compared with 2015/16.
- Within Public Sector Prisons in 2016/17, high security prisons had the lowest AWDL whilst Young People prisons had the highest (7.1 and 13.5 AWDL respectively)
- The greatest reduction in AWDL was in public sector prisons within the Kent, Sussex and Essex region (down by 2.2 days from 2015/16 to 2016/17). In contrast, the largest increase

¹⁶ As given in the NOMS Workforce Statistics bulletin for the year to March 2017 which is available at <https://www.gov.uk/government/statistics/national-offender-management-service-workforce-quarterly-march-2017>

was observed in the London and Thames Valley region (up by 1.2 days from 2015/16 to 2016/17).

Revisions

Figures for temporary release failures Random Mandatory Drug Tests and Electronic Monitoring for previous years have been updated following cleansing of the data. Details of the changes are given below.

Temporary Release Failures

Historical figures have been revised following a reconciliation exercise of temporary release failure data. Previous figures were based on data from different sources extracted at different times. While figures at the time of publication reflected the data extracted, further incidents and details may have been added since. Previous data from the various sources have been amalgamated and cleansed to form the main source of temporary release failure data.

Random Mandatory Drug Testing

This release of the Annual Digest contains an expanded section on random mandatory drug testing (RMDT) results for the first time. In addition to the overall positive test rate, the supplementary tables also provide a breakdown of all tests by outcome and of positive tests by drug group. Additionally, a data tool is published that contains record-level data for the past 10 years and allows users to create detailed custom tables. The addition of these elements was possible due to newly available data on test outcomes and an extensive data cleaning exercise that reconciled legacy databases on RMDT results. This reconciliation also resulted in revisions to some historical positive RMDT rate figures, which are noted in the supplementary tables in the usual manner.

Electronic Monitoring

Total caseload and Specials caseload has been revised for 31st March 2015. The difference between the original and the revised versions is less than 15.

Total notification and specials has been revised for 2014/2015. The difference between the original and the revised versions is less than 10.

Total notification and all other order types have been revised up for 2015/2016. The total difference between the original and the revised versions was significant, over 2,000 notifications. The cause for the difference was partly due to the provisional nature of the data and partly caused by an administrative error.

Contacts

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General information about the official statistics system of the UK is available from:
statisticsauthority.gov.uk/about-the-authority/uk-statistical-system

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

Alternative formats are available on request from statistics.enquiries@justice.gsi.gov.uk

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