



Published 28 January 2021

Offender Management Statistics Bulletin, England and Wales

Quarterly: July to September 2020 Prison population: 31 December 2020

Main points

78,180 prisoners in England and Wales as at 31 December 2020	The total prison population was 6% lower than at the same point in the previous year.
15,242 first receptions into prison between July and September 2020	The number of first receptions represented a fall of 19% compared to the same period in 2019, as a result of COVID-19 disruption to courts.
12,526 releases from sentences between July and September 2020	This was 20% lower than the same period in 2019. As the prison population shifts towards those serving longer sentences, we would expect fewer releases in a given period.
35,888 adjudication outcomes between July and August 2020	This was a fall of 26% compared to the same period in 2019. Additional days were awarded as punishment on 656 occasions – this was 86% lower than the same period in 2019.
6,120 licence recalls between July and September 2020	This was a 13% decrease on the same quarter in 2019.
222,657 offenders on probation at the end of September 2020	This number decreased by 12% compared to the number of offenders supervised as at 30 September 2019.

This publication provides offender management quarterly statistics for the latest date available and provides comparisons to the previous year.

For technical detail please refer to the accompanying guide, 'Guide to offender management statistics'.

Statistician's comment

This quarter we have continued to see the effects of the COVID-19 pandemic on the prison population; in this release we are comparing the prison population as at 31 December 2020 with the same point in 2019. Over this period the total prison population has fallen by around 4,700, however this overall figure masks the trends seen for certain population groups.

The remand population (those held in prison awaiting trial, and those held in prison between trial and sentencing) has increased by 24% over the past year (to 12,066). This is the highest 'as at 31 December' remand population figure for nine years. Conversely, the sentenced prison population has fallen by 10% over the past year (to 65,171), which represents the lowest level for 14 years.

This is in line with the effects of COVID-19 on the Criminal Justice System – in particular, delays in court hearings (evidenced by court caseload and timeliness figures reported in the latest <u>Criminal Justice Statistics Quarterly</u> release). The effect of this on the prison population is that the normal system flow of individuals from the remand to the sentenced population (after sentencing at court) has been disrupted; resulting in more people held on remand, and fewer sentenced prisoners.

The prisoner flows data in this publication cover the period July to September 2020, which means that we are comparing a 'COVID-19 period' with the equivalent 'non COVID-19 period' between July and September 2019.

Over the past ten years, there has been a steady falling trend in the number of prisoner first receptions each year. However, over the past year (as a result of COVID-19 disruption to court processes) there has been an 19% decrease; from 18,806 between July and September 2019, to 15,242 in the latest quarter.

On a quarterly basis, the number of prisoner first receptions between July and September 2020 (15,242) was 21% higher than April to June 2020 (12,608). This shows the impact of courts reopening (and associated increase in court activity) following the COVID-19 lockdown in Spring 2020.

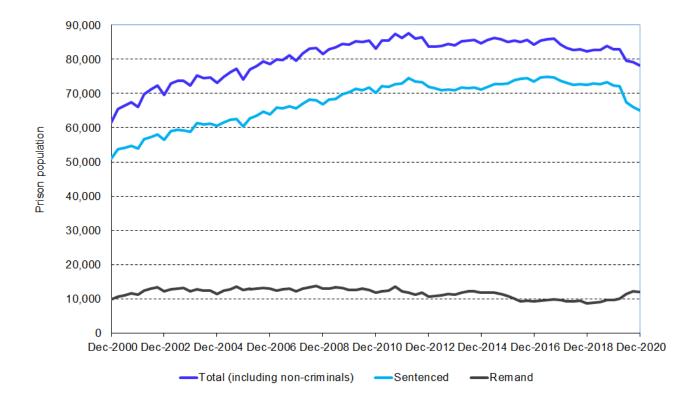
The effects of COVID-19 are also apparent in the number of incidences of Release on Temporary Licence (ROTL) in the latest quarter (a 76% fall compared to the same period in 2019); the number of incidences of prisoner transfer [between prisons] (a 37% annual decrease) and the number of occasions that Additional Days were awarded as punishment following a proven adjudication (which was 86% lower than the period July to September 2019).

1. Population

The prison population stood at 78,180 on 31 December 2020.

The sentenced prison population stood at 65,171 (83% of the prison population); the remand prison population stood at 12,066 (15%) and the non-criminal prison population stood at 943 (1%).

Figure 1: Prison population, December 2000 to 2020 (Source: Table 1.1)



Remand prison population

Remand population rose by 24% to 12,066 between December 2019 and 2020. However, this quarter marked the first quarter since December 2018 in which remand population fell rather than rose.. The number of males in custody on remand rose by 26% (to 11,502) and the number of females in custody on remand fell by 1% (to 564).

62% of those in custody on remand were being held for either:

- Drug offences (27% of the remand population)
- Violence against the person (25%)
- Theft offences (10%)

The most notable increase from December 2019 to 2020 is a 65% increase in number of people in custody on remand being held for drug offences, from 1,979 to 3,263. The most notable decrease for the same time period is a 4% decrease in number of people in custody on remand being held for theft offences, from 1,308 to 1,253.

Sentenced prison population

The sentenced prison population decreased by 10% compared to the same point 12 months earlier, standing at 65,171 on 31 December 2020. The decrease in the sentenced population, most notable in April to June 2020, is now slowing down.

2020's overall decrease in the sentenced population was driven by decreases in the population of almost all sentence lengths, most notably sentences of up to four years.

14% of sentenced prisoners are individuals who are in custody following a licence recall. The number of recall prisoners has increased by 7% from 8,434 to 9,027 over the year.

Sexual offenders

While this remains one of the largest offence groups of sentenced prisoners, their number has continued to fall since mid-2018 after a record high since 1993. There was a 9% decrease (to 11,764) in the sentenced sexual offender population in the 12 months to 31 December 2020. The number of sentenced sexual offenders is now the lowest it has been since September 2015.

'Violence Against the Person (VATP)' and 'Possession of Weapons' offences

30% of sentenced prisoners are in prison for a VATP offence. Once again, while the number of sentenced prisoners with a VATP offence has decreased (from 19,437 to 19,397), the proportion has increased marginally over the quarter as a result of the overall population decreasing more.

After a continued rise since 2015, the sentenced 'Possession of Weapons' prison population decreased by 19% (to 2,315) between December 2019 and December 2020.

The substantial fall in the sentenced 'Possession of Weapons' prison population can be attributed to the current COVID-19 pandemic which has led to delays in court cases waiting to be heard, hence a rise in the number of individuals awaiting trial and sentence. The same can be said for much larger offence groups such as theft and drug offences.

Extended Determinate Sentences (EDS)

Extended determinate sentences were made available for courts to impose from 13 April 2015. On 31 December 2020, 5,892 prisoners were serving such sentences, a 4% increase compared to the same time last year. This increase is against the backdrop of decreases across almost all other sentence length bands.

Indeterminate sentences

As at 31 December 2020, there were 8,801 (8,467 male, 334 female) indeterminate sentenced prisoners (those serving Imprisonment for Public Protection (IPP) sentences and life sentences) in the prison population. This represents an annual decrease of 4%.

There were 1,849 IPP prisoners as at 31 December 2020 which represents a decrease of 13% in the last 12 months. This figure has decreased since the June 2012 peak of 6,080. Over 2020 the number of IPP prisoners recalled to custody increased by 6% from 1,260 to 1,338.

At point of sentencing, offenders are given a minimum period of time ("tariff") that they need to serve in prison before they can apply to the Parole Board for release. The proportion of the IPP population who are post-tariff continues to increase; 95% of IPP prisoners were post-tariff as of 31 December 2020 compared to 93% at the same time the previous year. This however corresponds to a decrease in the post-tariff population itself, at 1,754 on 31 December 2020, a 12% decrease from a year previous.

The number of life sentenced prisoners (6,952) has decreased by 2% compared to 31 December 2019. There were 60 whole-life prisoners at the end of December 2020, plus an additional three held in secure hospitals.

Recall to custody

The prison population who have been recalled to custody (9,027 prisoners) increased by 7% over the year leading up to 31 December 2020. This can be attributed to the rise in the number of offenders serving longer sentences, who (after their release) spend longer on licence, and (if recalled to custody) would likely serve longer in prison on recall.

Foreign National Offenders (FNOs)

There were 9,524 (2,616 remand, 6,033 sentenced and 875 non-criminal) foreign nationals held in custody and at the HMPPS-operated Immigration Removal Centre (IRC) at Morton Hall as at 31 December 2020, representing 12% of the total prison population.

While the overall prison population has decreased by 6%, the number of FNOs in the prison (and HMPPS IRC) population has increased by 3% compared to 31 December 2019. The most common nationalities after British Nationals in prisons are Albanian (13% of the FNO prison population), Polish (9%), Romanian (9%), Irish (7%), and Lithuanian (4%), and Jamaican (4%). Of particular note, there was a 29% increase in the number of Albanian prisoners (to 1,256) between December 2019 and December 2020.

2. Prison receptions and admissions

15,242 offenders were received into custody as first receptions in the latest quarter.

10,016 were remand first receptions, 5,172 sentenced first receptions and 54 civil non-criminal first receptions.

Offender first receptions

The total number of first receptions during Q3 2020 was 19% lower than the same quarter in 2019, which can be attributed in part to the ongoing response to the COVID-19 pandemic. While the phased reintroduction of jury trials continued and court activity gradually increased between July and September, case disposals or outcomes are still lower than they were in Q3 2019¹ due to the continued need for safety measures such as social distancing.

There were 2,569 first receptions of foreign nationals during Q3 2020, which is 8% lower compared to Q3 2019. In addition, however, the representation of foreign nationals amongst first receptions has increased since 2019 - around 17% of first receptions were foreign nationals in Q3 2020 compared to 15% in Q3 2019. The five foreign nationalities with the highest numbers of first receptions in the latest quarter were: Romanian (378), Albanian (365), Polish (316), Lithuanian (137) and Irish (136). When taken together, these five nationalities accounted for around half (52%) of the 2,569 first receptions of foreign nationals between July and September 2020.

Prison admissions

As compared to the same quarter in 2019, the number of convicted unsentenced, sentenced and recall admissions all decreased - convicted unsentenced admissions by 6%, sentenced admissions by 29% and recall admissions by 11%. This can be attributed to the lower number of court outcomes arising from the COVID-19 response discussed above. The number of untried admissions increased by 1% in comparison to Q3 2019. This may be attributed to the judicial reprioritisation of cases to focus on the more serious cases, which may, for the benefit of public protection, lead to an increased level of remand².

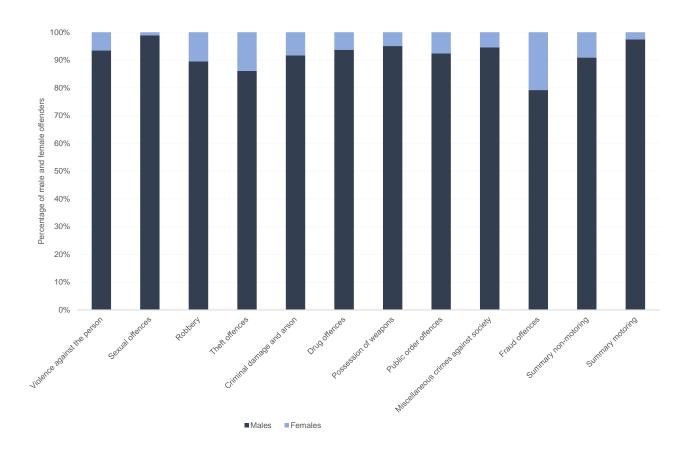
When considering immediate custodial sentenced admissions by offence group, violence against the person, theft offences and summary non-motoring offences had the largest number of sentenced admissions overall. The largest overall decreases, as compared to Q3 2019, occurred in the fraud offences (down by 49%) and theft offences (down by 43%) groups.

When compared to females, males made up a considerably larger proportion of sentenced admissions across each offence group, but there are certain offences where this difference was more pronounced: sexual offences and summary motoring offences.

¹ https://www.gov.uk/government/publications/criminal-court-statistics-quarterly-july-to-september-2020--2/criminal-court-statistics-quarterly-july-to-september-2020

² https://www.judiciary.uk/wp-content/uploads/2020/07/07072020_-Amended-Note-on-Listing-Magistrates-rebreaches APPROVED-3.pdf

Figure 2: Representation (percentage) of male and female immediate custodial sentenced admissions in each offence group (Source: Table 2.5b)



43% of all sentenced admissions during the quarter were for sentences of six months or less (4,211). However, when compared with the same quarter last year, the sentence length band with the largest decrease in the number of admissions was 6 months or less (excluding indeterminate sentences), with a 36% reduction.

Former Members of the Armed Forces

When individuals are first received into custody, they complete a Basic Custody Screening (BCS) process. This serves to identify their needs in areas including employment, childcare and healthcare. As part of this process, they are asked whether they had served in the armed services. Between July and September 2020, 165 matched individuals first received into custody answered that they had served in the armed services - this represented 2% of those who provided a response to the question at the point of their first reception during the latest quarter.

3. Releases

12,526 offenders were released from custody in the latest quarter.

12,347 were releases from determinate sentences and 179 from indeterminate sentences.

Prison releases from custodial sentences

The number of prisoner releases between July and September 2020 was 20% lower than the same quarter in 2019.

This overall fall was driven by a large decrease in the number of releases from sentences of less than 2 years (of which there were 7,309 in the latest quarter) which was 30% lower than the same period in 2019. However, this was somewhat offset by a small increase (3%) in releases from determinate sentences of 4 years or more.

This reflects the general trend in the prison population away from short sentenced offenders, to those serving longer determinate sentences.

There was a small (5%) rise in the number of indeterminate sentenced prisoners released between July and September 2020 compared to the previous year; with a 10% fall in the number of IPP releases and a 21% increase in the number of prison releases from life sentences. This likely reflects somewhat of a recovery from the effect in the previous quarter of COVID-19 disruption on the normal Parole Board hearings process.

Releases on Home Detention Curfew (HDC)

2,525 offenders were released on HDC during the latest quarter – this represents a fall of 22% compared to the same quarter in 2019. This fall in the number released on HDC reflects the reduction in the size of the pool of offenders eligible for HDC (21% lower than the same period in 2019).

Releases on Temporary License (ROTL)

There has been substantial disruption to ROTL due to COVID-19 restrictions. At the end of March 2020, it was announced that all ROTL had been suspended – except in cases of prisoners working as 'key workers' or temporary release on compassionate grounds.

As a result of these operational changes, there were only 28,610 incidences of ROTL during the quarter ending September 2020, which represents an 76% decrease compared to the same quarter in 2019. Just under 86% of the ROTL incidences in the latest quarter were for 'Work Related' reasons.

Counted within the total ROTL incidences, between July and September 2020 there were 116 releases under the COVID-19 temporary release codes (of which, 15 were for Compassionate reasons [including risk-assessed pregnant and otherwise vulnerable prisoners], and the remaining 101 were released under the 'End of Custody Temporary Licence' scheme [which allowed for the release of low-risk offenders who were near to the end of their custodial sentence]).

As a result of the COVID-19 changes to ROTL, the number of individuals receiving at least one incidence of ROTL between July and September 2020 was 69% lower than the same quarter in 2019. Only 1,617 individuals were released on temporary licence in the latest quarter.

Compared to last year, there was a large decrease in the recorded number of Temporary Release Failures (TRFs) – from 153 between July and September 2019, to 23 during the same period in 2020.

TRFs as a proportion of temporary release incidences remain at a low level, with only 1 in every 1250 incidences of temporary release resulting in a failure between July and September 2020.

Prisoner transfers

Between July and September 2020 there were 14,035 incidences of prisoner transfer, with 12,764 prisoners having at least one incidence of transfer. Both figures represent decreases since the same period of 2019, with falls of 37% and 30%, respectively.

These changes were to be expected given the changes made at the end of March 2020, when the Government announced that "as a result of the coronavirus pandemic, all non-essential transfers of prisoners have ceased. This is to contain the outbreak, and for the health and safety of prisoners and prison and escort vehicle staff."

The ongoing easing of transfer restrictions throughout the period ending September 2020 was reflected by the large increase in transfers of 89%, compared to the previous quarter.

4. Adjudications

There were 35,888 adjudication outcomes between July and September 2020.

This is a decrease of 32% on the same quarter in the previous year. Additional days were awarded as punishment on 656 occasions in this quarter.

68% of all adjudications were proven.

Over a third (36%) of proven adjudications were for offences of disobedience and disrespect, followed by unauthorised transactions (25%). The number of proven adjudications for 'disobedience/disrespect' and 'unauthorised transactions' fell by 17% (to 8,659) and 36% (to 6,146) respectively on the same quarter of the previous year.

The number of proven offences for violence has decreased by 28% in comparison to Q3 2019 (to 3,671) following growth in 2018, which then led to high volumes of offences. Since mid-2019, this increasing trend has now been reversed with quarterly averages not exceeding 5,000 offences in 2020.

There was a 26% decrease in the number of proven adjudications (to 24,277) from the same quarter in 2019. This in turn resulted in a 27% fall in the number of punishments (to 39,767).

Additional days were awarded as punishment on 656 occasions between July and September 2020; this is 86% lower than the same period in 2019. A total of 10,996 days was awarded in the latest quarter – this represents a decrease of 86% from the same quarter in 2019 (79,115 days between July and September 2019).

The average number of punishments per offence was 1.64. This is broadly in line with figures seen in recent quarters and before the impact of Covid-19.

The continuous fall in adjudications followed government measures in preventing the spread of Covid-19. Since the start of the lockdown in March 2020, most of those measures have been in place, with temporary regime changes to account for differences in prisons across the country, local restriction tiers and in accordance with public health advice.

Several policy interventions were made to suspend discipline hearings requiring an Independent Adjudicator (IA) between 23 March and 22 June 2020. Referrals to IAs, which have been subject to new guidelines have now resumed but are held virtually. In line with the new regime, the mandatory drug testing programme (MDT) was suspended between April and June 2020 and this resulted in fewer adjudication referrals.

In addition, other changes to the prison regime were implemented to support operational delivery. Those included new rules for governors; such as limiting movement of prisoners, implementing social distancing, compartmentalising prisons to isolate symptomatic prisoners, quarantine new entrants and so forth. These measures taken together have reduced interactions between prisoners and staff, reducing adjudications and related punishments³.

More information about the trends in Adjudications between 2011 and 2018 can be found in 'The Adjudications Story' publication.

³ https://www.gov.uk/government/publications/covid-19-national-framework-for-prison-regimes-and-services

5. Licence Recalls

The number of license recalls between July and September 2020 was 6,120, of which 586 were recalls from Home Detention Curfew (HDC).

The total number of recalls decreased by 13% compared to the same quarter in 2019.

The total number of quarterly recalls trended upwards between October-December 2016 and July-September 2019. There was a marked increase in the number of quarterly recalls from early 2018 to July-September 2019, mostly due to increases in the number of HDC recalls and recalls of offenders from determinate sentences of 12 months or more. However, the number of quarterly recalls has trended downwards in the last four quarters. The latest number represents a decrease of 13% from the same quarter a year ago, but a relatively slight increase of 4% from the previous quarter (likely due to more relaxed COVID-19 restrictions during the latest reporting quarter).

The guidance for courts and prisons implemented in 2020 has remained in place so as to assist courts, custodial and detention staff in addressing covid-19 hence reducing the rate of transmission within prisons. This has had a continuing effect on the number of court proceedings and new entrants into custody⁴.

Following relative stability in the number of quarterly recalls in recent quarters of offenders released from a sentence of under 12 months, there was a marked decrease in the previous quarter when the number of recalls (1,953) dropped below 2,000 for the first time since July-September 2016, partly due to COVID-19 restrictions. The latest figure (1,966) is a relatively small increase from the previous quarter but remains under 2,000.

Quarterly recalls of offenders with a sentence of 12 months or more including those with indeterminate sentences, have trended downward in the last four quarters following general increases from late 2016. Between July and September 2020, there were 4,154 recalls of such offenders, a decrease of 11% in comparison to the same quarter in the previous year.

Ethnicity proportions in quarterly recalls have remained relatively stable in the last four quarters, with 8 in 10 recalls being whit, 1 in 10 recalls being black, and about 4% being Asian.

There usually is more than one reason for recalling an offender on licence. Of recalls in the last four quarters, about 38% involved a charge of further offending, 73% involved non-compliance, 32% involved failure to keep in touch, and 22% involved failure to reside.

Between July and September 2020, 134 IPP prisoners and 64 prisoners serving a life sentence were re-released, having previously been returned to custody for a breach of licence conditions. These together represent an increase of 34% from the same quarter a year ago.

 $^{^4}$ https://www.gov.uk/government/publications/covid-19-prisons-and-other-prescribed-places-of-detention-guidance/covid-19-prisons-and-other-prescribed-places-of-detention-guidance.

https://www.judiciary.uk/announcements/review-of-court-arrangements-due-to-covid-19-message-from-the-lord-chief-justice/

https://www.gov.uk/government/statistical-data-sets/hmcts-weekly-management-information-during-coronavirus-march-to-december-2020

Offenders not returned to custody

Of all those released on licence and recalled to custody due to breaching the conditions of their licence between April 1999 and September 2020, there were 1,979 who had not been returned to custody by the end of December 2020.

A further 17 offenders had not been returned to custody as of December 2020 after recall between 1984 and April 1999, meaning the total number of offenders not returned to custody at the end of December 2020 was 1,996. These figures include some offenders believed to be dead or living abroad but who have not been confirmed as dead or deported.

Of the 1,996 not returned to custody by 31 December 2020, 352 had originally been serving a prison sentence for violence against the person offences and a further 63 for sexual offences.

6. Probation

The total number of offenders on probation (i.e. court orders and pre/post-supervision) at the end of September 2020 was 222,657.

This represents a 12% decrease compared to the end of September 2019.

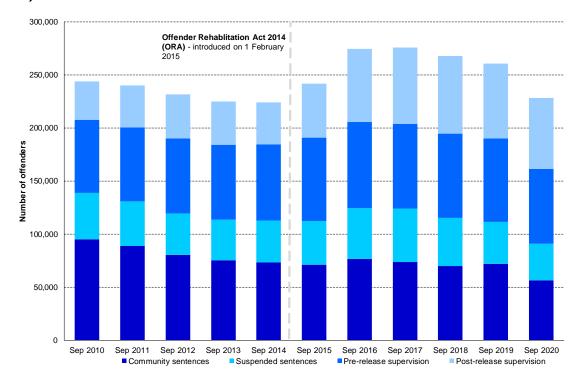
In March 2020, operational restrictions were introduced in response to the COVID-19 pandemic. These measures, which included temporary court closures, had a considerable impact on the figures reported previously for the period April to June 2020. While the latest figures for the period July to September 2020⁵ are showing signs of recovery following the easing of restrictions, it is likely that the impact of COVID-19 will continue to affect subsequent periods.

As at 30 September 2020, there were 222,657 offenders supervised by the Probation Service (Figure 2), representing a 12% decrease compared to the 30 September 2019 and a 1% decrease compared to the 30 June 2020.

Between the end of September 2019 and the end of September 2020, court order caseload decreased by 19% from 109,773 to 89,385, with the number of offenders on a community order (CO) decreasing by 22% and those on a suspended sentence order (SSO) with requirements decreasing by 14%.

The total caseload of offenders supervised before or after release from prison at the end of September 2020 was 137,035, representing a decrease of 7% compared to the end of September 2019.

Figure 3: Number of offenders under Probation Service supervision, 30 September 2010 to 30 September 2020 (source for 2018 to 2020: Table 4.6; source for years prior to 2018: Table 4.7)



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⁵ The latest Criminal Court Statistics Quarterly bulletin (available at www.gov.uk/government/statistics/criminal-court-statistics-quarterly-july-to-september-2020--2) shows that disposals in both the Magistrates' Court and Crown Court have risen sharply in the period July to September 2020 following the sharp declines seen in April to June 2020.

Between July to September 2020, the number of offenders starting court orders almost tripled to 22,749 following the series low in the previous quarter. This figure, however, remains below prepandemic levels, decreasing by 19% compared to the same quarter a year ago. Over the same period, the number of offenders starting COs more than tripled to 15,098 compared to the previous quarter and decreased by 23% compared to the same quarter a year ago. Meanwhile, the number of offenders starting SSOs with requirements more than doubled to 7,476 compared to the previous quarter and decreased by 10% compared to the same period in the previous year. Additionally, those starting pre-release supervision increased by 32% to 15,632 compared to the previous quarter but decreased by 27% compared to the same quarter a year ago.

Between July and September 2020, 23,559 requirements started under COs and 12,857 requirements started under SSOs, representing decreases of 23% and 9% respectively compared to the same period in the previous year. Over the same period, rehabilitation requirements started under COs and SSOs decreased by 22% to 9,416 and by 4% to 5,594 respectively but remains the most common requirement included within a CO or SSO. Under COs, reductions were seen in all requirement types, with drug treatment, alcohol treatment and unpaid work requirements decreasing by 51% to 649, 28% to 695, and 27% to 7,130 respectively. Under SSOs, drug treatment, alcohol treatment and unpaid work requirements decreased by 29% to 465, 18% to 358, and 20% to 3,263 respectively.

In terms of the most frequently used combinations of requirements, rehabilitation requirements combined separately with drug treatment, alcohol treatment, and unpaid work requirements decreased by 54%, 27% and 23% respectively under COs and by 34%, 25% and 16% respectively under SSOs in July to September 2020 compared to the same period a year ago.

Between July and September 2020, 73% of 12,276 COs and 79% of 7,076 SSOs (for the supervision period) were terminated successfully, i.e. ran their full course or were terminated early for good progress.

In the quarter July to September 2020, the total number of pre-sentence reports (PSRs) prepared by the Probation Service more than doubled to 16,993 compared to the previous quarter but is still well below pre-pandemic levels, decreasing by 34% compared to the same quarter in 2019.

Furthermore, 89% of custodial sentences proposed in PSRs resulted in that sentence being given in the year ending September 2020, representing the highest concordance between sentence proposed and sentence given.

Further information

This publication presents quarterly data trends.

Our statisticians regularly review the content of publications. Development of new and improved statistical outputs is usually dependent on reallocating existing resources. As part of our continual review and prioritisation, we welcome user feedback on existing outputs including content, breadth, frequency and methodology. Please send any comments you have on this publication including suggestions for further developments or reductions in content.

Accompanying files

As well as this bulletin, the following products are published as part of this release:

- A 'Guide to Offender Management Statistics', which provides comprehensive information about data sources and quality, as well as key legislative changes.
- A document outlining the 'Users of Offender Management Statistics'
- A set of data tables, covering each section of this bulletin, including a prison population data tool.

National Statistics status

National Statistics status means that official statistics meet the highest standards of trustworthiness, quality and public value. All official statistics should comply with all aspects of the Code of Practice for Official Statistics. They are awarded National Statistics status following an assessment by the Authority's regulatory arm. The Authority considers whether the statistics meet the highest standards of Code compliance, including the value they add to public decisions and debate.



It is the Ministry of Justice's responsibility to maintain compliance with the standards expected for National Statistics. If we become concerned about whether these statistics are still meeting the appropriate standards, we will discuss any concerns with the Authority promptly. National Statistics status can be removed at any point when the highest standards are not maintained and reinstated when standards are restored.

Contact

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Next update: 28 April 2021

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

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