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July to September 2010, England and
Wales

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Contents

Introduction	2
Overview – latest period compared to the previous year	3
Prison population	4
Prison receptions	6
Prison discharges	7
Probation	7
Licence Recalls	9
References	9
List of tables	10
Appendix A – Data sources and quality	14
Contact points	16

Introduction

This publication provides key statistics relating to offenders who are in prison or under Probation Service supervision. It covers flows into these services (receptions into prison or probation starts) and flows out (discharges from prison or probation terminations) as well as the caseload of both services at specific points in time. The publication also includes information on returns to custody following recall. Latest figures for 2010 are provided with comparisons to 2009, as well as reference to longer term trends.

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

Overview – latest period compared to the previous year

	17 December 2010	Percentage change 18 December 2009 to 17 December 2010
Prison population	84,548	0% →
Remand	12,027	-5% ↓
Untried	7,980	-5% ↓
Convicted unsentenced	4,047	-4% ↓
Under sentence	71,549	2% ↑
Fine Defaulters	129
Less than or equal to 6 months	5,267
Greater than 6 months to less than 12 months	2,608
12 months to less than 4 years	20,552
4 years or more (excluding indeterminate sentences)	23,920
Indeterminate sentences	13,469
Recalls	5,604
Non criminal⁽²⁾	972

	July - September 2010	Percentage change July - September 2009 to 2010
Prison receptions		
First receptions	30,166	-8% ↓
Remand - untried	13,448	-6% ↓
Remand - convicted unsentenced	10,025	6% ↑
Under sentence	23,122	-4% ↓
Fine Defaulters	302
Less than or equal to 6 months	11,115
Greater than 6 months to less than 12 months	2,358
12 months to less than 4 years	6,994
4 years or more (excluding indeterminate sentences)	2,169
Indeterminate sentences	184

Prison discharges		
Determinate sentences	22,137
Less than or equal to 6 months	9,706
Greater than 6 months to less than 12 months	2,138
12 months to less than 4 years	7,920
4 years or more (excluding indeterminate sentences)	2,373
Indeterminate sentences	69
Indeterminate sentence for public protection (IPP)	38
Life sentence	31

Average percentage of time served⁽¹⁾		
Determinate sentences	56%
Less than or equal to 6 months	55%
Greater than 6 months to less than 12 months	48%
12 months to less than 4 years	53%
4 years or more (excluding indeterminate sentences)	59%

Probation starts		
All court orders	46,992	-2% ↓
All community sentences	34,473	-3% ↓
Community order	34,118	0% →
All pre CJA orders	362	-73% ↓
Other sentences	12,691	1% ↑
Deferred sentence	168	21% ↑
Suspended sentence order	12,523	0% →
Pre and post release supervision	12,047	0% →

	September 2010	Percentage change September 2009 to September 2010
Persons supervised by the Probation Service	238,593	-2% ↓
All court orders	135,138	-5% ↓
All community sentences	95,050	-8% ↓
Community order	93,109	-6% ↓
All pre CJA orders	2,002	-50% ↓
Other sentences	43,615	0% →
Deferred sentence	114	15% ↑
Suspended sentence order	43,525	0% →
All pre and post release supervision	104,771	4% ↑
Pre release supervision	69,186	3% ↑
Post release supervision	35,978	6% ↑

	July - September 2010
Licence recalls	
Recalled in latest quarter	4,163
Not returned to custody by 31 December 2010	113
Total not returned to custody by 31 December 2010	960

(1) Average percentage of time served includes time served on remand.

(2) The latest figures for non-criminals cannot be compared with the previous year due to changes in the way these data are recorded.

Prison population

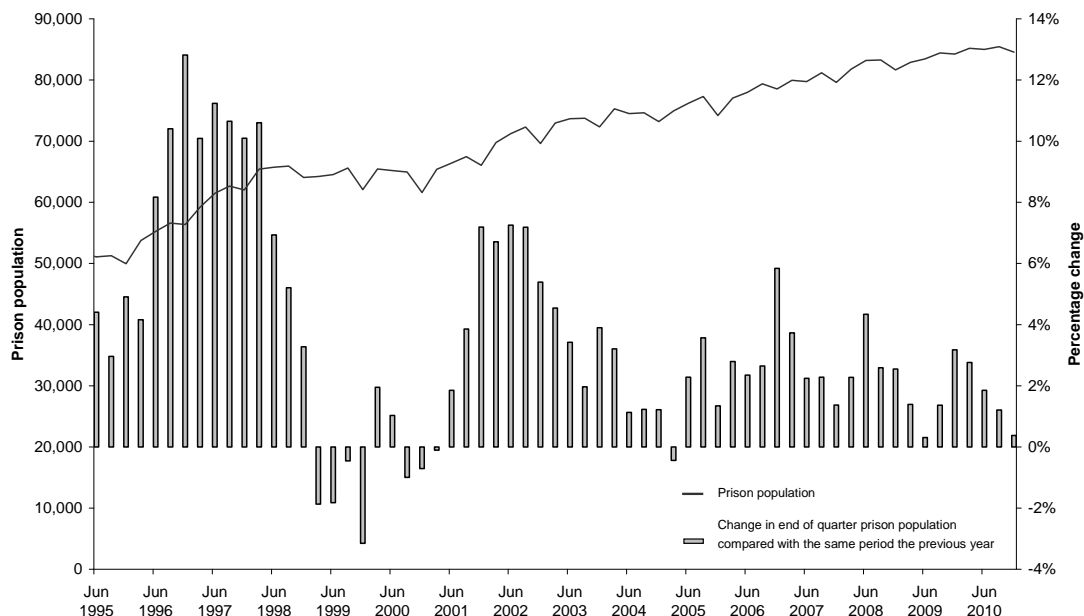
The prison population grew rapidly between 1993 to 2008 – an average of 4 per cent a year. This rapid rise was driven by:

- Increased numbers of people sentenced to immediate custody from 1999 to 2002.
- Increases in the average custodial sentence length and increased use of indeterminate sentences.
- Increase in numbers recalled to prison following breaches of the conditions of licence and these offenders spending longer in prison once recalled.

However, the rise in the prison population has slowed considerably since the summer of 2008 with an average annual increase of 1 per cent (Figure 1.1).

The flatter trend seen since 2008 partly reflects the introduction of the Criminal Justice and Immigration Act (CJIA) 2008, which changed sentencing and offender management in ways which helped to reduce growth in the prison population. For more information see [CJIA 2008](#).

Figure 1.1 Quarterly prison population and annual percentage change
England and Wales, June 1995 to December 2010



The population at 31 December 2010 was 83,055. This figure cannot be compared directly with the December figure published in 2009 which refers to 18 December 2009. The two dates are either side of Christmas when the population can change considerably. Figures for the equivalent date in both years (18 December 2009 and 17 December 2010) are used in the percentage changes quoted in this section and the tables include figures for both the December 2010 dates. Comparison of the equivalent figures for 2009 and 2010 (84,231 and 84,548) show an increase in the population of 317 (0.4 per cent).

The withdrawal of the End of Custody Licence (ECL) early release scheme in March 2010 added around 1,000 to the prison population. If ECL had continued, the prison population would have fallen by around 700 between 18 December 2009 and 17 December 2010.

At 17 December 2010, there were:

- 80,387 males in prison - a rise of 1 per cent over the year (or a fall of 1 per cent after removing the impact of the withdrawal of ECL).
- 4,161 females in prison - a fall of 2 per cent over the year (or 5 per cent after removing the impact of the withdrawal of ECL).

The increase in the total prison population over the last year (18 December 2009 to 17 December 2010) was made up of a decrease in the remand population and increase in the sentenced population:

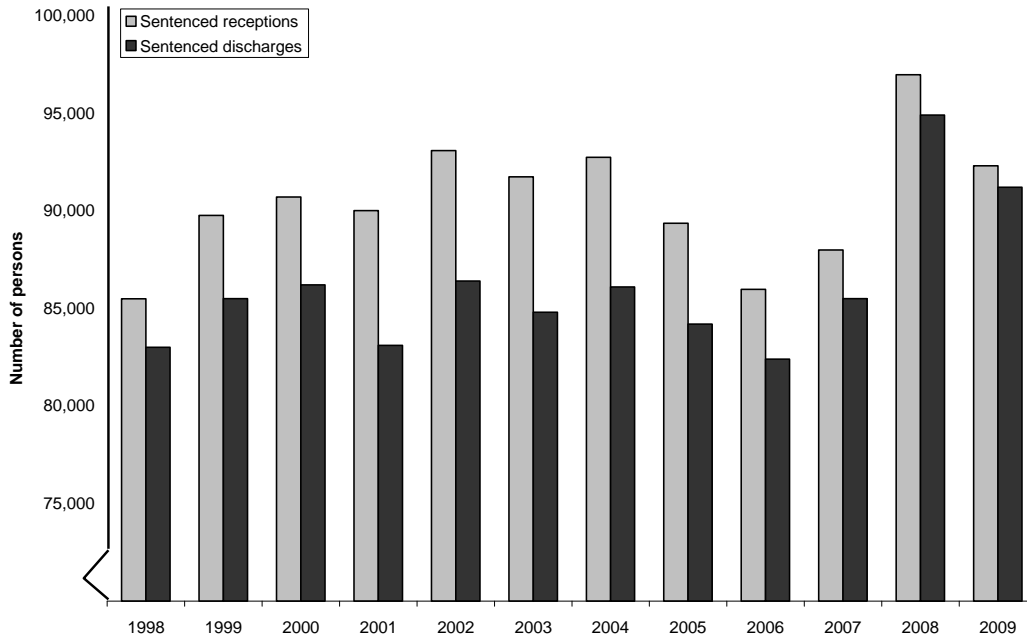
- The remand population fell by 5 per cent between December 2009 and December 2010 to 12,027, the lowest since December 2004. This fall comprised a 5 per cent fall in the untried population to 7,980 and a 4 per cent fall in the convicted unsentenced population to 4,047. The falling remand population partly reflects the rising use of fast delivery pre-sentence reports (PSRs) since they were introduced in 2005.
- There was a 2 per cent increase (of 1,195) in prisoners under sentence in December 2010 (71,549) compared with December 2009 (which would have been an increase of less than 1 per cent if ECL had not been withdrawn).
- The young adult sentenced population increased by 8 per cent to 8,169 and the adult sentenced population rose by 1 per cent to 62,245 whereas the 15-17 year old sentenced population fell by 22 per cent to 1,135 (continuing the trend of falling numbers of 15-17 year olds seen since 2008).
- The number of prisoners serving indeterminate sentences (either a life sentence or an Indeterminate sentence for Public Protection – an IPP) is now at its highest ever at 13,469, but recent figures (where comparisons can be made – see appendix A) suggest the rate of increase is continuing to slow following changes introduced in the CJIA 2008.
- The determinate sentenced (excluding fine defaulters), recall, and non-criminal population were 52,347, 5,604 and 972 respectively in December 2010. These figures cannot be compared to a year ago because of data collection issues that affected the supply of data for statistical purposes (see Appendix A).

The foreign national prisoner population was 10,866 as at 31st December 2010 accounting for 13 per cent of the prison population (the same proportion as in recent quarters).

Changes in the size of the prison population are affected by changes in the number and type of receptions and of those who are discharged. Figure 1.2 below compares determinate sentenced receptions with determinate sentenced discharges between 1998 and 2009, illustrating the difference between sentenced receptions and discharges,

which began to narrow in 2005 when growth in the determinate sentenced population also began to slow.

**Figure 1.2 Annual determinate sentenced receptions and determinate sentenced discharges
England and Wales 1998 to 2009**



Prison receptions

First receptions are an indication of the number of individuals received into prison in a given year or quarter. Over the longer term, first receptions have fallen each year since 2002 with the exception of 2008. There were 125,877 first receptions in 2009 representing a fall of 6 per cent compared to 2008 but a similar level to 2007.

There were falls in both remand and sentenced receptions in 2009 including a 17 per cent fall in convicted unsentenced receptions. The falling number of convicted unsentenced receptions partly reflects the rising use of fast delivery pre-sentence reports (PSRs) since they were introduced in 2005. Fast delivery PSRs are more likely to be completed on the same day than standard delivery PSRs, and therefore are less likely to result in a convicted unsentenced prison reception.

More recently, in the quarter ending September 2010, there were 30,166 first receptions into prison, 8 per cent lower than in the quarter ending September 2009. However female first receptions only fell by 6 per cent to 2,644 over the same period.

The number of prisoners received under sentence fell to 23,122 in the quarter ending September 2010, 4 per cent lower than in the quarter ending September 2009. However this fall was almost entirely among males (down 5 per cent to 21,100) with little change for females.

Prison discharges

In the quarter ending September 2010, a total of 22,206 sentenced prisoners were discharged – the majority (22,137) had served a determinate sentence, with a further 38 discharged from an indeterminate sentence for public protection (IPP) and 31 from a life sentence.

Those discharged from determinate sentences in the quarter ending September 2010 had served 56 per cent of their sentence in custody (including time on remand). On average males serve a greater proportion of their sentence in custody – 56 per cent compared to 49 per cent for females in the quarter ending September 2010. This gender difference is consistent over time, and partly reflects the higher proportion of females who are released on Home Detention Curfew (HDC – under which certain offenders can be released on electronically monitored curfew up to 135 days before the halfway point of their sentence when they would otherwise be released).

A total of 3,179 prisoners were released on HDC in the quarter ending September 2010, 7 per cent higher than in the quarter ending September 2009.

Prisoners released on HDC in the quarter ending September 2010 spent an average of 3.2 months on HDC, up 2 per cent from the quarter ending September 2009.

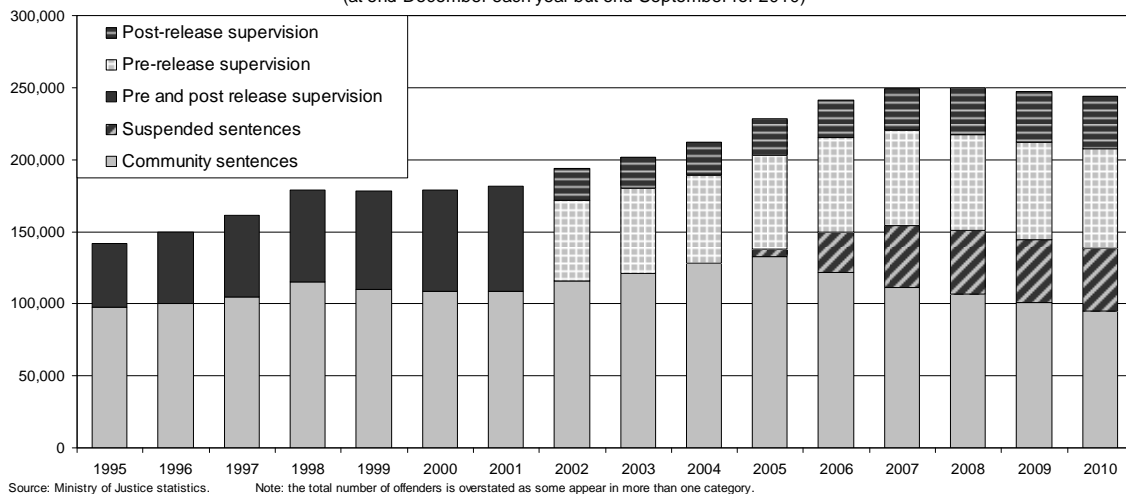
Probation

The probation caseload increased by 38 per cent between 1999 and 2009 to 241,500. This rise was driven by:

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

The number of offenders starting court orders (community orders and SSOs) continued to increase in 2009, while the number being supervised at the end of the year (the caseload) continued the decrease seen in 2008. This was due to a reduction in the average sentence length of community orders since their introduction, from 22 months in 2005 to 13 months in 2009. It is possible that SSOs have drawn in some who would previously have received longer community orders, partly explaining this fall. (See Chapter 3, Offender Management Caseload Statistics 2009 for further possible reasons for the fall in average sentence length).

Figure 1.3 Number of offenders under Probation Service supervision
(at end-December each year but end-September for 2010)



The court order caseload continued to decrease between the quarter ending September 2009 and quarter ending September 2010 with the community order caseload down 6 per cent and the SSO caseload showing little change (less than 0.5 %). The number of offenders starting court orders also decreased over this period, following increases between 2000 and 2009. This recent decrease was driven by the falling number of pre CJA orders, while starts of community orders and SSOs showed little change between the quarter ending September 2009 and quarter ending September 2010.

The caseload of offenders supervised before or after release from prison increased by 4 per cent between the quarter ending September 2009 and quarter ending September 2010, including a 6 per cent increase in the number supervised post release. Starts of pre or post release supervision remained at just over 12,000, this flat trend being consistent with the slower growth in the prison population.

Of the 33,230 community orders terminated in the quarter ending September 2010, 65 per cent had run their full course or were terminated early for good progress, a slight increase from the previous year (64 per cent). There was also an increase for SSOs which had run their full course or were terminated early for good progress from 64 to 67 per cent.

A total of 57,969 court reports were prepared in the quarter ending September 2010, 1 per cent down on the previous year, representing a change in the annual longer term trend of small increases. The decrease was due to a 14 per cent fall in the number of Standard PSRs, while Fast delivery PSRs rose by 13 per cent; comprising increases of 15 per cent in oral fast delivery PSRs and 12 per cent in written fast delivery PSRs.

Licence Recalls

During the quarter ending September 2010, a total of 4,163 offenders had their licence revoked and were recalled. By 31 December 2010, 4,050 of these recalled offenders had been returned to custody and 113 had not been returned to custody.

A further 847 offenders who were recalled prior to 1 July 2010 had not been returned to custody by 31 December 2010 making a total of 960 offenders who had been recalled but had not been returned to custody. Of these, 165 had originally been serving a prison sentence for violence against the person offences and a further 35 for sexual offences.

The end-to-end measure across all agencies involved in the process is for 75 per cent of recalled offenders to be returned to custody within 74 hours for emergency recalls and 144 hours for standard recalls. In the quarter ending September 2010, 3,221 (77 per cent) were returned within agreed timescales.

References

This is the second publication in a series which has replaced three previous statistics publications: monthly population in custody, probation statistics quarterly, and licence recalls and returns to custody. The quarterly bulletin combines what was previously published in all three publications and also incorporates quarterly data on receptions and discharges. This publication and associated spreadsheet files of the tables contained in this document are available for download at

www.justice.gov.uk/publications/statistics.htm under the Prison and Probation section.

All previous bulletins (monthly population in custody, probation statistics quarterly, licence recalls and returns to custody) are also available at the same link.

Definitions and key legislative change: For detailed information of definitions, and key legislative changes please see appendix A and C of the [Offender Management Caseload Statistics annual publication 2009](#).

List of tables

Prison population

Table 1.1a Total population in custody by type of custody and age group, on a quarterly basis, September 2009 to December 2010, England and Wales (Male and female)

Table 1.1b Male population in custody by type of custody and age group, on a quarterly basis, September 2009 to December 2010, England and Wales (Male)

Table 1.1c Female population in custody by type of custody and age group, on a quarterly basis, September 2009 to December 2010, England and Wales (Female)

Table 1.2 Population in custody by type of custody, sex and age group, at end of month, October 2010 to December 2010, England and Wales

Table 1.3a Remand and sentenced population in prison by offence group and sex, on a quarterly basis, September 2009 to December 2010, England and Wales (All ages)

Table 1.3b Adult remand and sentenced population in prison by offence group and sex, on a quarterly basis, September 2009 to December 2010, England and Wales (Adults)

Table 1.3c Young adult remand and sentenced population in prison by offence group and sex, on a quarterly basis, September 2009 to December 2010, England and Wales (Young adults)

Table 1.3d Under 18s remand and sentenced population in prison by offence group and sex, on a quarterly basis, September 2009 to September 2010, England and Wales (15-17 year olds)

Table 1.4 Population in prison by sex, establishment and nationality status, December 2010, England and Wales

Table 1.5 Population in prison, by nationality and sex, December 2010, England and Wales

Prison receptions

- Table 2.1a** Total receptions into prison establishments by type of custody, sentence length and age group, July-September 2009 to July-September 2010, England and Wales (Male and female)
- Table 2.1b** Male receptions into prison establishments by type of custody, sentence length and age group, July-September 2009 to July-September 2010 England and Wales (Male)
- Table 2.1c** Female receptions into prison establishments by type of custody, sentence length and age group, July-September 2009 to July-September 2010, England and Wales (Female)
- Table 2.2a** Remand receptions into prison establishments by offence group and sex, July-September 2009 to July-September 2010, England and Wales
- Table 2.2b** Immediate custodial sentenced receptions into prison establishments by offence group and sex, July-September 2009 to July-September 2010, England and Wales

Prison discharges

- Table 3.1** Discharges from determinate and indeterminate sentences, July-September 2009 to July-September 2010, England and Wales
- Table 3.2a** Time served in prison by prisoners discharged from determinate and indeterminate sentences, July-September 2009 to July-September 2010, England and Wales (Male and female)
- Table 3.2b** Time served in prison by male prisoners discharged from determinate and indeterminate sentences, July-September 2009 to July-September 2010, England and Wales (Male)
- Table 3.2c** Time served in prison by female prisoners discharged from determinate and indeterminate sentences, July-September 2009 to July-September 2010, England and Wales (Female)
- Table 3.3** Home Detention Curfew releases by sentence length, July-September 2009 to July-September 2010, England and Wales
- Table 3.4** Table 3.4 Average time spent on Home Detention Curfew by sentence length, July-September 2009 to July-September 2010, England and Wales

Probation

Table 4.1	Number of offenders starting court order and pre/post release supervision by the Probation Service by sex, July-September 2009 to July-September 2010, England and Wales
Table 4.2	Offenders starting court order supervision by the Probation Service by offence group and sex, July-September 2009 to July-September 2010, England and Wales
Table 4.3	Most frequently used combinations of requirements for starts of community orders and suspended sentence orders, July-September 2009 to July-September 2010, England and Wales
Table 4.4	Number of requirements commenced under community orders and suspended sentence orders, July-September 2009 to July-September 2010, England and Wales
Table 4.5	Number of offenders starting community order and suspended sentence order supervision by area, July-September 2009 to July-September 2010, England and Wales
Table 4.6	Number of offenders starting community order and suspended sentence order supervision by tier, July-September 2009 to July-September 2010, England and Wales
Table 4.7	Offenders supervised by the Probation Service at end of period, September 2009 to September 2010, England and Wales
Table 4.8	Offenders supervised by the Probation Service at end of period under court orders by offence group and sex, September 2009 to September 2010, England and Wales
Table 4.9	Number of offenders supervised by the Probation Service at end of period under court orders by tier, September 2009 to September 2010, England and Wales
Table 4.10	Offenders supervised by the Probation Service at 30 September 2010, by area, England and Wales
Table 4.11	Percentage of terminations of court orders by reason, July-September 2009 to July-September 2010, England and Wales
Table 4.12	Court reports written by the Probation Service by type of report and court, July-September 2009 to July-September 2010, England and Wales
Table 4.13	Concordance between sentences proposed and sentences given, where a PSR was written, October 2009 - September 2010, England and Wales

Licence recalls

- Table 5.1** Summary of licence recalls to 30 September 2010 and returns to custody by 31 December 2010, England and Wales
- Table 5.2** Summary of number of offenders not returned to custody, England and Wales
- Table 5.3** Number of offenders recalled from determinate and indeterminate sentences from 1 July to 30 September 2010, by custody status at 31 December 2010, England and Wales
- Table 5.4** Number of offenders recalled and not returned to custody, by offence, England and Wales
- Table 5.5** Number of offenders recalled by 30 September 2010 not returned to custody by 31 December 2010, by Local Criminal Justice Board, England and Wales
- Table 5.6** Length of time between recall and return to custody, England and Wales
- Table 5.7** Length of time since recall for those not returned to custody, England and Wales
- Table 5.8** Performance against timescales for licence recalls returned to custody by 31 December 2010, by agency, July-September 2009 to July-September 2010, England and Wales
- Table 5.9** Performance against timescales for licence recalls returned to custody by agency, by Local Criminal Justice Board, by 31 December 2010, July-September 2010, England and Wales

Appendix A – Data sources and quality

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

Prison data – impact of data collection issues affecting the quarters July-September 2009, October-December 2009 and January-March 2010

In May 2009, the National Offender Management Service began the roll-out of a new case management system for prisons (Prison-NOMIS). During the phased roll-out, data collection issues emerged that affected the supply of data for statistical purposes from July 2009 to February 2010. Specifically, statistical information on sentence length and offence group is not available on any of our prison datasets for this period. The problems were successfully resolved in March 2010.

As a consequence, there are no breakdowns by sentence length or offence group for the third and fourth quarter of 2009 in any of the prison population, receptions or discharges tables.

In order to ensure the fullest possible set of data for 2010, sentence lengths have been estimated for those prisoners received or discharged before the problems were resolved. A small number of prison establishments are still using the old LIDS case management system; data for prisoners received or discharged from these prisons has been assumed to be unaffected.

For those prisoners received or discharged from prisons operating Prison-NOMIS, efforts were made to populate their record with the correct sentence length using other data extracts. For example, many prisoners discharged in January 2010 were originally received into prison prior to July 2009, so we were able to take their sentence length from unaffected datasets before the problems began. Similarly, the majority of those received in early 2010 were still in prison in March 2010 when the problems were resolved, so we were able to use the sentence length in the corrected prison population data.

Where it was not possible to populate a sentence length using other datasets, prisoners were allocated a sentence length band based on the number of days they spent in custody (taking account of early release schemes where relevant).

Offence groups have not been estimated for the first quarter of 2010, so prison receptions tables do not include this breakdown. Additionally, the number of Home Detention Curfew releases by sentence length band, and the average time served for those discharged from determinate sentences, have not been estimated so figures are not available for January – March 2010.

Licence recalls and returns to custody data

Total number of recalls – all figures presented in this bulletin include offenders recalled from licence for determinate sentences, indeterminate sentences for public protection (IPPs) and life sentences and those recalled from Home Detention Curfew for the period 1 April 1999 to 30 September 2010. They do not include recalls from End of Custody Licence. The End of Custody Licence scheme was withdrawn on 12 March 2010. Final figures were published in Offender Management Caseload Statistics 2009 which is available for download at www.justice.gov.uk/publications/prisonandprobation.htm. The total number of recalls to end of September 2010 does not include those offenders recalled during the period 1 January 1984 to 31 March 1999 as the number of recalled offenders is approximate.

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

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

Offence – table 5.4 presents a breakdown of all offenders recalled in the period up to and including 30 September 2010 and not returned to custody by 31 December 2010 by offence. This is the offence for which the offender served a prison sentence before being released on licence and subsequently recalled for breaching the conditions of that licence. The figures are presented by standard offence groups, with a further breakdown of violence against the person and sexual offences. Those cases recorded as “other” do not fit into the set categories. These offences include: arson, blackmail, breach of probation orders, criminal damage, drunk and disorderly, escape lawful custody, harassment, libel and possession of weapons.

Performance data - the licence recall data on performance against timescales is compiled by the National Offender Management Service based on returns from the agencies involved and the Local Criminal Justice Boards.

Symbols used

..	not available
0	nil or less than half the final digit shown
-	not applicable
*	One or both of the comparison figures are less than 50

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