



Ministry
of Justice

Statistical Notice

Releases on temporary licence, 2012

Introduction

This ad-hoc statistical notice presents analysis on releases on temporary licence (ROTL) from prison establishments in England and Wales between 01 January 2012 and 31 December 2012. It has been produced as supporting evidence for both HMIP's review of Release on Temporary Licence Failures and a Ministry of Justice review of ROTL policy.

It provides information on:

- **ROTL instances:** the total number of ROTL releases, where the count includes every episode of ROTL as a separate instance. Prisoners could have numerous ROTL releases over a period of time including two different types of ROTL on the same day. These are all counted as separate instances.
- **Prisoners on ROTL:** a subset of the above; the total number of individual prisoners on ROTL, where there is only one count for each prisoner independent of how many ROTL releases they have had.
- **Recorded ROTL failures:** the number of ROTL releases resulting in a failure or breach of licence that are recorded on central administrative systems.

The data presented are the best available source at the time of the ROTL review. ROTL release and failures data are drawn from the P-NOMIS administrative IT system which may be amended at any time. 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.

As of April 2014, data on ROTL instances and prisoners on ROTL will be included as part of the annual Offender Management Statistics.

General data and commentary on prison receipts, discharges and population up to the end of September 2013 can be found in the Offender Management Statistics quarterly bulletin:

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

Background

Release on temporary licence (ROTL) is a mechanism that enables prisoners to participate in necessary activities, outside of the prison establishment, that directly contribute to their resettlement into the community and their development of a purposeful, law-abiding life. There are four types of temporary release licence:

- **Resettlement Day Release (RDR):** to allow prisoners to re-establish their links with family and the local community, for example by taking part in community projects, working, attending training and educational courses, or establishing housing.
- **Resettlement Overnight Release (ROR):** similar to resettlement day release, but with a view to the prisoner spending time overnight at their release address or an approved temporary hostel address.
- **Special Purpose Licence (SPL):** a short duration temporary release, often at short notice, that allows eligible prisoners to respond to exceptional, personal circumstances and to wider criminal justice needs, for example visiting dying relatives, attending funerals, weddings, medical appointments, court, tribunals or other inquiries.
- **Childcare Resettlement Licence (CRL):** for certain prisoners who are the sole carer of a child under 16 years, to enable them to maintain contact and prepare them for their parental duties on release.

There is no automatic right of entitlement for release on temporary licence to be granted. A prisoner will only be released on temporary licence if they are eligible for release **and** once they have satisfied a stringent risk assessment carried out by a designated ROTL Board at the prison.

Some prisoners are automatically excluded from being granted ROTL, for example Category A prisoners. Otherwise, determinate sentenced prisoners become eligible for resettlement activities (RDR or ROR) towards the end of the custodial term of their sentence - either 24 months before the release date, or once they have served half the custodial period less half the relevant remand time, whichever gives the later date. For SPL and CRL, eligible determinate sentenced prisoners may apply at any point during their sentence.

Indeterminate Sentenced Prisoners (ISPs)¹ cannot be considered for any form of ROTL until after they have been approved for transfer to open conditions. Generally, they should not be allowed ROTL until after they have actually transferred but, in exceptional circumstances, an ISP may be considered for ROTL from closed conditions.

The eligibility criteria are set out in Prison Service Order (PSO) 6300 which defines the policy on the provision of ROTL. For more information on PSO 6300, see: www.justice.gov.uk/downloads/offenders/psipso/psopso-6300-rotl.doc

¹ ISPs include those sentenced to a life sentence or an Indeterminate sentence of Imprisonment (or Detention) For Public Protection (IPP).

Prisoners released on temporary licence must comply with a number of conditions whilst on licence. These may vary according to the circumstance of the prisoner, however all prisoners on ROTL must return by the date and time specified. A breach of any of the licence conditions is classed as a 'ROTL failure' and the prisoner may be recalled to prison, and will be liable to prison disciplinary procedures and a return to closed conditions if released from an open prison.

Summary

- The volume of ROTL releases increased by 10% between 2008 and 2012 from 439,300 to 485,000. This increase is driven by the number of ROTL releases granted to prisoners sentenced to an indeterminate sentence of Imprisonment for Public Protection (IPP), which increased from 1,100 releases in 2008 to 49,000 releases in 2012. This reflects the growth of the IPP population since 2005 when IPP sentences were first introduced.
- Although there are a number of ROTL releases, these are granted to a limited number of individuals. A total of 11,400 individual prisoners were granted at least one instance of ROTL in 2012. This is a 13% increase on the number of individuals granted at least one instance of ROTL in 2008, which was 10,100.
- In 2012, almost all ROTL releases were for resettlement activities. RDR accounted for 93% and ROR accounted for almost 4%.
- Of the 485,000 releases in 2012, 62% were from prison establishments which are predominantly open. ISPs accounted for just over 90,000 releases (19% of all releases). Of these, 75% were from prison establishments which are predominantly open.
- There were 428 temporary release failures recorded on central administrative systems in 2012. This represents less than 1% of all releases in 2012. Of these failures, 248 were recorded as failure to return and 26 were recorded as failure due to an arrest for a suspected offence whilst on temporary licence.
- Of the 428 recorded failures, 74 (or 17%) were committed by a prisoner on a life sentence and a further 83 (or 19%) were committed by an offender on an IPP. The remaining 271 (or 63%) were committed by an offender on a determinate sentence.
- However not all temporary release failures are recorded on central administrative systems. Those that are not recorded centrally are more likely to be low-level failures including, for example, returning with unauthorised possessions and failing alcohol meter readings. These failures are managed locally. Where failures are recorded, the central administrative system only allows for one reason to be recorded; where it is a failure to return this takes priority.

Tables

Table 1: ROTL instances and number of individuals granted ROTL by type of sentence, 2008 to 2012, England and Wales

	2008	2009 ⁽²⁾	2010 ⁽²⁾	2011	2012
Total instances of ROTL	439,294	419,700	..	460,356	484,951
<i>of which: Life</i>	37,058	..	..	41,458	41,330
<i>IPP</i>	1,112	..	..	43,937	49,028
<i>Determinate</i>	401,124	..	..	374,961	394,593
Total number of individuals granted ROTL	10,083	..	..	10,798	11,383

⁽²⁾ A new prison database system was introduced mid 2009 (P-Nomis). The migration of data from the old system (LIDS) to P-Nomis affected the supply of data for statistical purposes from July 2009 to February 2010. The total volume of ROTL instances in 2009 has been taken from Offender Management Caseload Statistics, 2009 (<https://www.gov.uk/government/publications/offender-management-caseload-statistics-annual-ns>). Further breakdowns of this figure and data for 2010 cannot be provided and are left blank in the table above.

Table 2: ROTL instances by type of licence, 2012, England and Wales

Type of licence	
Total instances of ROTL	484,951
Resettlement Day Release	452,424
Resettlement Overnight Release	19,131
Special Purpose	13,145
Childcare Resettlement	251

Table 3: ROTL instances by type of sentence and type of establishment, 2012, England and Wales

Type of Establishment ⁽³⁾	Determinate	Life	IPP	All prisoners
Open establishments	230,883	31,584	35,924	298,391
Closed establishments	163,710	9,746	13,104	186,560
All establishments	394,593	41,330	49,028	484,951

⁽³⁾ Prisons have been categorised by their predominant function as at 31 December 2012. In particular, a number of prisons that perform an open function in part or have an open wing on site will not be classed as 'open'.

Table 4: Recorded ROTL failures by recorded reason for failure, 2012, England and Wales ⁽⁴⁾

Recorded reason for failure ⁽⁵⁾	Number of recorded failures	
	Total	<i>per 100,000 releases</i>
Failure to return	248	<i>51</i>
Late return	30	<i>6</i>
Arrest for a suspected offence whilst on temporary licence	26	<i>5</i>
Other breach of licence	124	<i>26</i>
Total recorded failures	428	<i>88</i>

⁽⁴⁾ Statistics supplied by NOMS.

⁽⁵⁾ Not all temporary release failures are recorded on central administrative systems. Those that are not recorded centrally are more likely to be low-level failures including, for example, returning with unauthorised possessions and failing alcohol meter readings. These failures are managed locally. Where failures are recorded, the central administrative system only allows for one reason to be recorded; where it is a failure to return this takes priority.

Table 5: Recorded ROTL failures by sentence type, 2012, England and Wales ⁽⁴⁾

Sentence type of offender ⁽⁵⁾	Number of recorded failures	<i>% of all recorded failures</i>
Life	74	<i>17%</i>
IPP	83	<i>19%</i>
Determinate	271	<i>63%</i>
Total recorded failures	428	<i>100%</i>

⁽⁴⁾ Statistics supplied by NOMS.

⁽⁵⁾ Not all temporary release failures are recorded on central administrative systems. Those that are not recorded centrally are more likely to be low-level failures including, for example, returning with unauthorised possessions and failing alcohol meter readings. These failures are managed locally. Where failures are recorded, the central administrative system only allows for one reason to be recorded; where it is a failure to return this takes priority.

Contacts

Press enquiries should be directed to the Ministry of Justice press office:

Tel: 020 3334 3536

Email: newsdesk@justice.gsi.gov.uk

Other enquiries about these statistics should be directed to the Justice Statistics Analytical Services division of the Ministry of Justice:

Mike Elkins
Chief Statistician
Ministry of Justice
7th Floor
102 Petty France
London
SW1H 9AJ
Email: statistics.enquiries@justice.gsi.gov.uk

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

General information about the official statistics system of the UK is available from: <http://www.statistics.gov.uk>

© Crown copyright 2014 Produced by the Ministry of Justice

You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit www.nationalarchives.gov.uk/doc/open-government-licence/ or email: psi@nationalarchives.gsi.gov.uk

Where we have identified any third party copyright material you will need to obtain permission from the copyright holders concerned.

Alternative format versions of this report are available on request from statistics.enquiries@justice.gsi.gov.uk