



Ministry of
JUSTICE

Offender Management Statistics Quarterly Bulletin

October to December 2011, England
and Wales

Ministry of Justice
Statistics bulletin

26 April 2012

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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. Latest figures for 2011 are provided with comparisons to 2010, 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, probation caseload, licence recalls and returns to custody.

Table 1: Overview – latest period compared to the previous year

Overview – latest period compared to the previous year

	31 March 2012	Percentage change 31 March 2011 to 31 March 2012
Prison population	87,531	2% ↑
Remand	11,907	-3% ↓
Untried	7,890	-5% ↓
Convicted unsentenced	4,017	0% →
Under sentence	74,402	3% ↑
Fine Defaulters	127	-14% ↓
Less than or equal to 6 months	5,350	0% →
Greater than 6 months to less than 12 months	2,519	0% →
12 months to less than 4 years	21,807	6% ↑
4 years or more (excluding indeterminate sentences)	25,251	-4% ↑
Indeterminate sentences	13,836	2% ↑
Recalls	5,512	-2% ↓
Non criminal	1,222	31% ↑
	October-December 2011	Percentage change October- December 2010 to 2011
Prison receptions		
First receptions	29,285	5% ↑
Remand - untried	13,208	4% ↑
Remand - convicted unsentenced	10,248	4% ↑
Under sentence		
Fine Defaulters	271	1% ↑
Less than or equal to 6 months	10,857	0% →
Greater than 6 months to less than 12 months	2,320	4% ↑
12 months to less than 4 years	7,190	11% ↑
4 years or more (excluding indeterminate sentences)	2,205	10% ↑
Indeterminate sentences	232	7% ↑
Prison discharges		
Determinate sentences	21,421	-6% ↓
Less than or equal to 6 months	9,757	-5% ↓
Greater than 6 months to less than 12 months	2,128	-7% ↓
12 months to less than 4 years	7,226	-9% ↓
4 years or more (excluding indeterminate sentences)	2,310	-7% ↓
Indeterminate sentences	159	77% ↑
Indeterminate sentence for public protection (IPP)	102	*
Life sentence	57	-23% ↓
Average percentage of time served⁽¹⁾		
Determinate sentences	53%	-2 pp ↓
Less than or equal to 6 months	54%	-1 pp ↓
Greater than 6 months to less than 12 months	46%	-2 pp ↓
12 months to less than 4 years	49%	-2 pp ↓
4 years or more (excluding indeterminate sentences)	57%	-2 pp ↓
Probation starts		
All court orders	42,149	-6% ↓
All community sentences	30,602	-7% ↓
Community order	29,735	-7% ↓
Other sentences	11,715	-4% ↓
Suspended sentence order	11,577	-4% ↓
Pre release supervision	12,631	9% ↑
	31 December 2011	Percentage change Dec 2010 to Dec 2011
Persons supervised by the Probation Service		
All court orders	125,444	-7% ↓
All community sentences	86,680	-8% ↓
Community order	84,168	-8% ↓
All pre CJA orders	480	-67% ↓
Other sentences	41,831	-4% ↓
Deferred sentence	81	-10% ↓
Suspended sentence order	41,766	-4% ↓
All pre and post release supervision	110,437	5% ↑
Pre release supervision	70,785	3% ↑
Post release supervision	40,049	8% ↑
	October-December 2011	
Licence recalls		
Recalled in latest quarter	4,017	
Not returned to custody by 31 March 2012	92	
Total not returned to custody by 31 March 2012	962	

1) Average percentage of time served includes time served on remand; change in percentages are given as percentage point change (pp).

* - One or both of the comparison figures are less than 50

Prison population

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

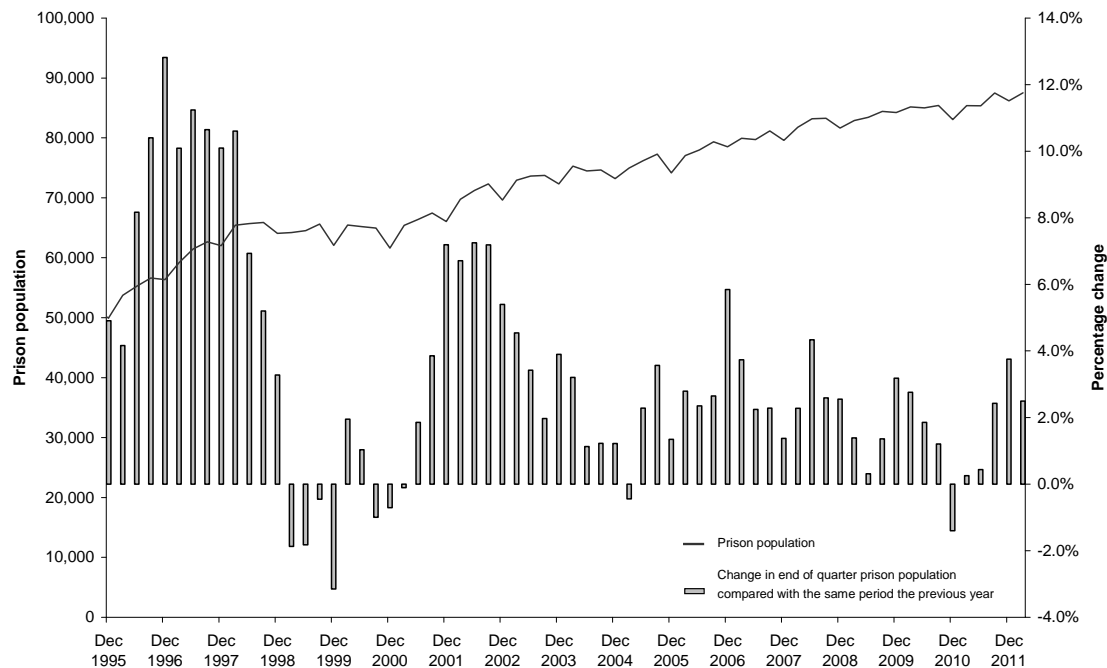
- Increased numbers of people sentenced to immediate custody from 1999 to 2002.
- Increases in the average custodial sentence length and increased use of indeterminate sentences.
- Increase in numbers recalled to prison following breaches of the conditions of licence and these offenders spending longer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

Full details of these trends can be found in the Story of the Prison Population 1995 to 2009 (<http://www.justice.gov.uk/statistics/prisons-and-probation/prison-population-1995-2009>).

The rise in the prison population slowed considerably from the summer of 2008 with an average annual increase of 1 per cent (Figure 1.1), until the public disorder seen in UK cities from 6 to 9 August 2011 which had an immediate impact on the prison population. However, the rise in the population since then is not solely explained by the public disorder and further work is being carried out to try to identify the full range of reasons for the increase.

The flatter trend prior to the disorder partly reflected 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](#). Additionally the remand population had been falling, partly because of the increased use of fast delivery pre-sentence reports.

Figure 1.1: Quarterly prison population and annual percentage change, England and Wales, December 1995 to March 2012



The prison population at 31 March 2012 was 87,531, an increase of 2,131 (2 per cent) compared to 31 March 2011 when the total population was 85,400.

This increase includes the impact of the public disorder in UK cities from 6 to 9 August 2011 which resulted in immediate growth in the prison population by around 900 prisoners.

At 31 March 2012, there were:

- 83,313 males in prison - a rise of 3 per cent over the year
- 4,218 females in prison - a fall of 1 per cent over the year

The overall increase in the total prison population over the last year (31 March 2011 to 31 March 2012) mainly comprised increases in the sentenced and non-criminal segments of the prison population:

- The remand population fell by 393, or 3 per cent, between March 2011 and March 2012 from 12,300 to 11,907. This comprised a 5 per cent decrease in the untried population to 7,890 and no percentage change in the convicted unsentenced population at 4,017.

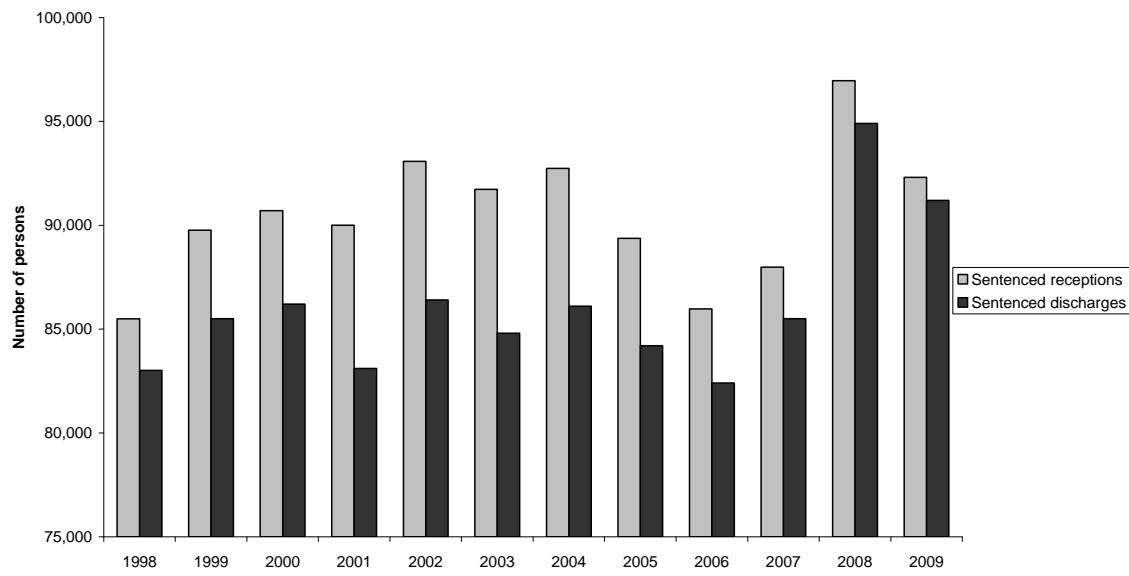
- The sentenced population rose by 2,236, or 3 per cent, from 72,166 in March 2011 to 74,402 in March 2012. This was due to an increase in those serving longer sentences, while there was a small decrease in the number serving short sentences (0.3 per cent decrease in those serving less than 12 months). The greatest proportional increase came from the 12 months to less than 4 years group (up 6 per cent from 20,632 to 21,807). There was also an increase in the over 4 years (excluding indeterminate sentences) sentenced population, rising 4 per cent from 24,279 to 25,251.
- The number of prisoners serving indeterminate sentences (either a life sentence or an Indeterminate sentence for Public Protection – an IPP) rose 2 per cent to reach 13,836. Although the indeterminate sentenced population has continued to increase, the rate of year-on-year growth has slowed considerably following the changes introduced in the CJIA 2008 which restricted the use of IPPs. Additionally the number of IPPs being released from prison has started to rise, although numbers are still relatively small (see discharges section for more details).
- Within the indeterminate sentenced population 43 per cent were serving an IPP (6,017) while 57 per cent were serving life sentences (7,819). Among those serving IPPs, most had a tariff length of 6 years or less (2,855 had a tariff length of 2 to 4 years, 1,255 had a tariff length of less than 2 years and 1,200 a tariff of 4 to 6 years). A total of 3,506 IPP prisoners (58 per cent) had passed their tariff expiry date. For those serving life sentences, 4,143 had a tariff length of 10 to 20 years and a further 2,517 had a tariff length of less than 10 years. There were 41 offenders serving a whole life sentence as at 31 March 2012.
- The number of non-criminals in prison rose by 31 per cent to 1,222 in March 2012. Non-criminal prisoners are largely immigration detainees (98 per cent in March 2012), and the increase partly reflects the opening of Morton Hall as a new Immigration Removal Centre in May 2011.

The foreign national prisoner population was 11,127 as at 31 March 2012, accounting for 13 per cent of the prison population (the same proportion as in recent quarters). This figure includes Immigration Removal Centres (IRC's). When looking at the population excluding IRC's, 12 per cent were foreign national prisoners (the same proportion as in recent quarters).

An increasing proportion of sentenced prisoners are serving sentences for the most serious offences. As at 31 March 2012, 28 per cent of the sentenced population had committed violence against the person offences, an increase from 21 per cent in 2000. Similarly, the proportion serving sentences for sexual offences increased from 10 per cent in 2000 to 14 per cent in March 2011. In contrast, the number serving sentences for motoring offences has fallen steadily over time, and now comprises just 1 per cent of the sentenced population compared with 4 per cent in 2000. There were also increases in the proportions serving sentences for burglary and theft and handling following the public disorder of 6th to 9th August 2011.

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



¹Excludes discharges following recall after release on licence, non-criminals, persons committed to custody for non-payment of a fine, those becoming time served and deported prisoners. Data prior to 1998 is unavailable

Prison receptions

First receptions are an indication of the number of individuals received into prison in a given year or quarter. In the quarter ending December 2011 there were 29,285 first receptions into prison, 5 per cent higher than in the quarter ending December 2010. This increase reflected higher number of prisoners entering custody both on remand and under sentence.

The number of untried receptions – those remanded in custody awaiting trial – increased from 12,660 in the quarter ending December 2010 to 13,208 in the quarter ending December 2011, a rise of 4 per cent. This was due to an increase in the number of male untried receptions (up 5 per cent) while the number of female untried receptions was down 7 per cent. The number of convicted unsentenced receptions – those remanded in custody awaiting sentence – also rose, up 4 per cent in the quarter ending December 2011 compared to the previous year. This rise was seen for both males and females (up 5 per cent and 3 per cent respectively).

There was a 4 per cent increase in the number of prisoners received under sentence in the quarter ending December 2011 (23,075), compared to the quarter ending December 2010, with increases seen for all but the shortest sentences (the number of offenders entering prison to serve sentences of 6 months or less fell very slightly – down 0.2 per cent. The overall increase includes some impact of the public disorder with many cases being sentenced in the period October to December 2011.

Prison discharges

In 2011, a total of 85,540 offenders were discharged from determinate sentences, down 5 per cent from 2010, but 3 per cent higher than in 2001. The longer term trend is due to a 10 per cent rise in adult discharges since 2001, while the number of young offenders discharged has fallen 24 per cent over the same period. An additional 534 offenders were discharged from indeterminate sentences in 2011 – up from 258 in 2010 and from 122 in 2001. The increases, both over the last year and the longer term, are mainly due to an increase in the number of offenders discharged from indeterminate sentences for public protection (up from 97 in 2010 to 300 in 2011).

In the quarter ending December 2011, a total of 21,580 sentenced prisoners were discharged – the majority (21,421) had served a determinate sentence, with a further 102 discharged from an indeterminate sentence for public protection (IPP) and 57 from a life sentence.

Those discharged from determinate sentences in the quarter ending December 2011 had served 53 per cent of their sentence in custody (including time on remand). On average, males served a greater proportion of their sentence in custody – 53 per cent compared to 48 per cent for females in the quarter ending December 2011. 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).

Over the longer term, the percentage of time served for determinate sentences rose from 57 per cent in 2001 to 61 per cent in 2007, but has since fallen each year, reaching 54 per cent in 2011. The increase between 2001 and 2007 reflected falling use of HDC (particularly from 2003-2007) and a decline in the parole release rate in 2006/07. The falling percentage of time served since 2007 reflects an increase in the use of HDC, and the impact of legislation introduced in 2008 under which most offenders are now released automatically at the halfway point (previously some longer sentenced prisoners were released at the two-thirds point – see technical annex for further information).

In 2011, 12,727 prisoners were released on Home Detention Curfew (HDC), 4 per cent higher than in 2010, but 7 per cent lower than in 2001. As at 31 December 2011 there were 2,800 offenders on HDC, no change from 31 December 2010.

A total of 3,347 prisoners were released on HDC in the quarter ending December 2011, 1 per cent lower than in the quarter ending December 2010.

Prisoners released on HDC in the quarter ending December 2011 spent an average of 2.8 months on HDC, unchanged from the quarter ending December 2010.

Probation

Annual trends

The annual total probation caseload (court orders and pre and post release supervision) increased by 39 per cent between 2000 and 2008 to 243,434. Since then the probation caseload has fallen slightly to 234,528. The rise between 2000 and 2008 was driven by:

- Introduction of new court orders, in particular 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.

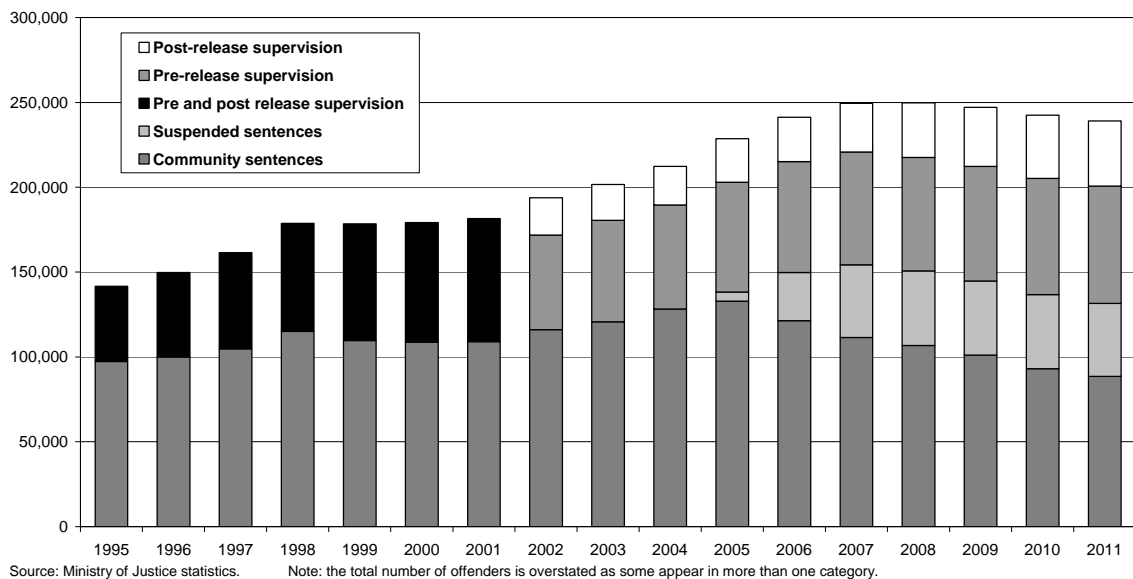
The total court order caseload increased by 29 per cent between 2002 and 2007 but has since fallen each year. As at the end of 2011 the court order caseload was 125,444, 7 per cent lower than the previous year, and down 16 per cent from the peak in 2007. These caseload trends largely reflect similar trends in those starting Probation Service supervision where the number of court order starts increased by 30 per cent between 2002 and 2009, but has since fallen by 6 per cent to reach 156,713 in 2011. Additionally, the falling caseload since 2007 (and the fact that the caseload began to fall while starts were still rising) reflects a decrease in the average sentence length of community orders, down from 15.1 months in 2007 to 14.6 months in 2011. This reduction in length means that offenders spend less time on the caseload.

The number of offenders being supervised under Community Orders at the end of 2011 was 8 per cent lower than the previous year, continuing the downward trend seen since 2007; similarly, the number starting Community Orders fell for the second year running, down 5 per cent.

The SSO caseload fell by 4 per cent between December 2010 and December 2011, the first real fall since they were introduced in 2005. The number of offenders starting SSOs also fell for the first time, down 1 per cent from the previous year.

The number of offenders on the pre and post release caseload rose by 5 per cent, and those starting pre release supervision rose by 4 per cent between 2010 and 2011.

Figure 1.3: Number of offenders under Probation Service supervision (at end December), 1995-2011



Since 2006 the number of offenders starting court order supervision for summary motoring offences has been steadily declining; this is consistent with sentencing trends. As a result, for offenders starting Community Orders, the proportion who had been convicted of an indictable offence increased from 51 per cent in 2006 to 55 per cent in 2011. For SSOs, the respective percentages were 58 and 69 per cent. These trends can also be seen in the caseload figures where by the end of 2011, 54 per cent of those on the community order caseload and 69 per cent of those on SSOs had been convicted of an indictable offence (compared to 50 and 57 per cent respectively in 2006).

Between 2006¹ and 2011, there has been a marked increase in the number of offenders given curfew, specified activity and alcohol treatment requirements, whilst the use of accredited programme requirements has fallen. In terms of the combinations of requirements made under community orders and SSOs, significant increases can be seen in standalone curfew requirements, as well as combinations involving specified activity, curfew and alcohol treatment

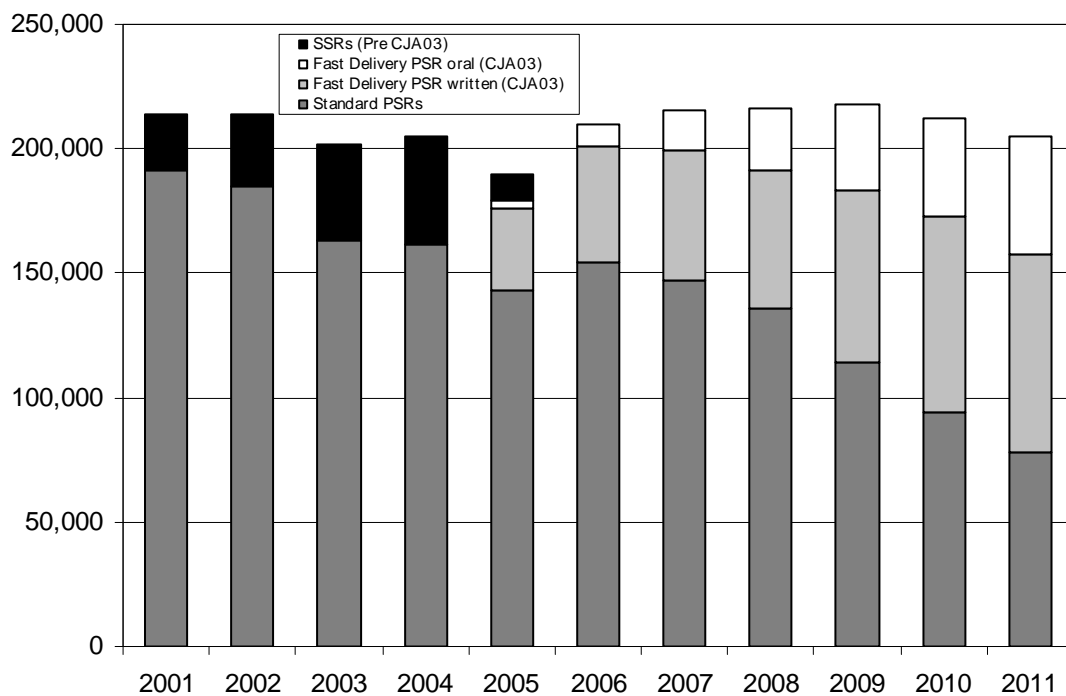
¹ 2006 is the first full year for which requirements information is available, as they were introduced by the Criminal Justice Act 2003 on 4th April 2005 to be made under the new community order and SSO sentences.

requirements; for SSOs there has also been a significant increase in standalone unpaid work requirements. Those combinations which include accredited programmes have fallen significantly.

There were 125,778 terminations of community orders in 2011. Of these, 66 per cent had run their full course or were terminated early for good progress, representing a small but continuing increase in the proportion of successfully completed orders. The successful completion rate for SSOs was 67 per cent in 2011, the same as in 2010.

The total number of court reports prepared in 2011 fell by 4 per cent on the previous year to the lowest level seen since 2005. Longer term trends show a decline in the number of reports written between 2001 and 2003, followed by a generally increasing trend up to 2009. Compared to 2010, Standard PSRs fell by 17 per cent, whilst use of Fast Delivery PSRs continued to rise – up 7 per cent and accounting for 62 per cent of all PSRs completed in 2011.

Figure 1.4: Numbers of different types of court reports prepared by the Probation Service, 2001-2011



Quarterly trends

The court order caseload continued to decrease between the quarter ending December 2010 and quarter ending December 2011 with the community order caseload down 8 per cent and the SSO caseload down 4 per cent. The number of offenders starting court orders also decreased over this period, with starts of community orders down by 7 per cent and SSO starts down by 4 per cent.

The caseload of offenders supervised before or after release from prison increased by 5 per cent between the quarter ending December 2010 and quarter ending December 2011. This included an 8 per cent increase in the number supervised post release, which is consistent with a rising prison population, and the ongoing impact of offenders spending longer periods on licence after release from custody under CJA 2003. Starts of pre release supervision increased by 9 per cent over the same period, consistent with trends in prison receptions where the number of offenders entering prison to serve a sentence of 12 months or more increased by 10 per cent over the same period.

Of the 29,654 community orders terminated in the quarter ending December 2011, 66 per cent had run their full course or were terminated early for good progress, a slight increase from the quarter ending December 2010 (65 per cent). There was also a slight increase for SSOs which had run their full course or were terminated early for good progress, up from 67 to 68 per cent.

A total of 51,388 court reports were prepared in the quarter ending December 2011, down 6 per cent on the quarter ending December 2010. This continues the recent downward trend following a longer term trend of small increases up to 2009. The recent decrease was due to a 22 per cent fall in the number of Standard PSRs, while Fast delivery *oral* PSRs continued to rise, up 24 per cent.

Custodial sentences were given by the court in 90 per cent of the cases where a custodial sentence was proposed in PSRs. This compares to 33 per cent given custodial sentences where SSOs were proposed and 10 per cent where Community Sentences were proposed. It is clear that sentencers rarely give a lesser disposal than proposed in the PSR but often give a more severe one. The highest level of concordance between sentences proposed and given was for custodial sentences (90 per cent) followed by Community Sentences (69 per cent).

Licence recalls

Offenders serving a sentence of twelve months and over are released from prison, in most cases automatically at the half way point of their sentence, under licensed supervision to the Probation Service. They are all subject to a set of standard licence conditions, requiring them to report regularly to the Probation Service, live at an address approved by the Probation Service and to be of good behaviour.

A key element of public protection is that offenders released on licence should be effectively supervised in the community and swiftly recalled to custody if their behaviour gives cause for concern. It is explained to offenders at the outset that they may be recalled to custody if they breach any of the conditions of their licence.

There are various reasons why offenders are recalled to custody for breaching their licence conditions besides committing a further offence. For example, an offender may be recalled if there is any deterioration in behaviour which leads the Probation Service to conclude that there is an increased risk of the offender committing further offences.

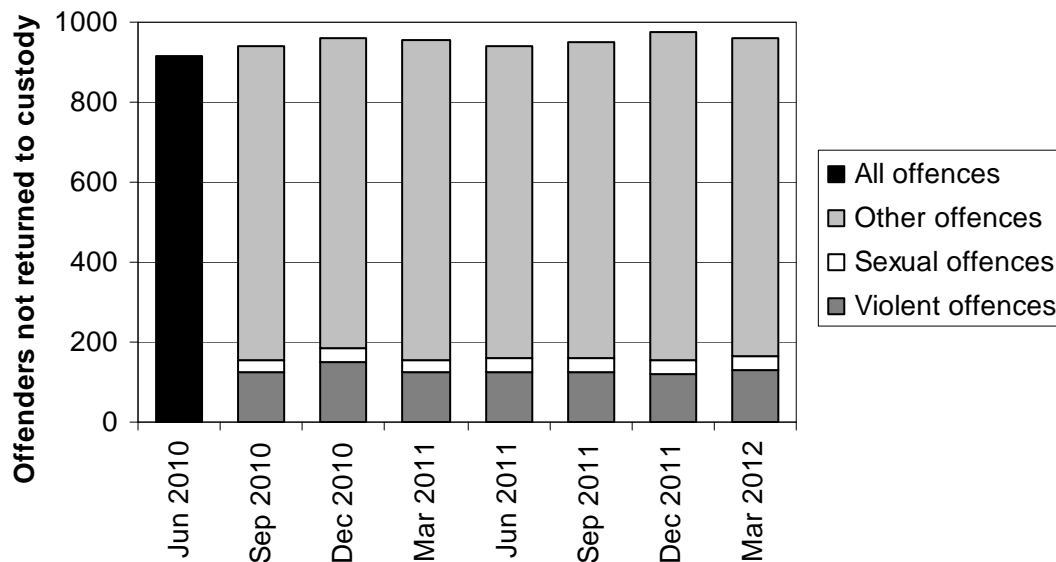
Over the period 1999 to 2011, a total of 570,000 offenders were released from prison on licence supervision. Between April 1999 and December 2011, 135,000 of those released on licence were recalled to custody for breaching the conditions of their licence, e.g. failing to report to their probation officer. Of all those recalled to custody, only 962 had not been returned to custody by the end of March 2012. This total may include some offenders believed to be dead or living outside of the UK but who have not been confirmed as dead or deported.

Of these, 128 had originally been serving a prison sentence for violence against the person offences and a further 35 for sexual offences.

During the quarter ending December 2011, a total of 4,017 offenders had their licence revoked and were recalled. By 31 March 2012, 3,925 of these recalled offenders had been returned to custody and 92 had not been returned to custody.

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 31 December 2011, 3,101 (77 per cent) were returned within agreed timescales.

Figure 1.5: Number of offenders not returned to custody by quarter, by major offence group



References

This publication and associated spreadsheet files of the tables contained in this document and detailed information of definitions, sources and key legislative changes are available for download at

www.justice.gov.uk/statistics/prisons-and-probation/oms-quarterly

Bulletins from earlier related series are available at

www.justice.gov.uk/publications/statistics-and-data/prisons-and-probation/index.htm

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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. These 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.

Indeterminate sentences for public protection

Information relating to tariffs for IPP and DPP prisoners and those serving life sentences is held by the Offender Management and Public Protection Group, NOMS, in the Public Protection Database.

Licence recalls and returns to custody

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.

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
(p)	Provisional data
(r)	Revised data

Revisions policy

Figures for prison receptions and discharges for each of the first three quarters of the calendar year are generally revised in the October to December publication each year. Prison population, probation and licence recall figures are not routinely revised, but are corrected if an error is identified.

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