

Offender Management Caseload Statistics 2009

An overview of the main findings

Ministry of Justice
Statistics bulletin

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An overview of the main findings

(Chapter 1 from main report)

Introduction

This publication provides key statistics relating to offenders who are under Probation Service supervision or are in custody. It covers flows into these services (probation starts or reception into prison) and flows out (terminating probation or discharges from prison) as well as the caseload of both services at specific points in time (31st December for those under Probation Service supervision and 30th June for the prison population). The publication provides the latest figures for 2009 and trends over the past ten years.

For both groups the bulletin provides statistics relating to the main characteristics of offenders, including details relating to their sentence and offences committed.

Trends in the prison population

The prison population at end of June 2009 was 83,500, which represented an increase of 0.3 per cent from 2008, the smallest year on year increase in the last ten years. The numbers of prisoners on remand and the overall sentenced population also showed little change from 2008 at 13,500 and 68,500 respectively. However, the numbers serving indeterminate sentences (life sentences and Indeterminate sentences for Public Protection - IPPs) continued to rise from 11,400 to 12,500, an increase of 10 per cent.

Over the longer term, the prison population has risen by 29 per cent since 1999 (an increase of 18,900) with a much greater increase in the sentenced population (33 per cent or 17,000) than in the remand population (7 per cent or 900). The female population, which represents 5 per cent of the total, showed a slighter higher increase (up 34 per cent overall from 3,200 in 1999 to 4,300 in 2009) although it fell by 5 per cent from 2008 to 2009.

Factors affecting the size of the prison population

Almost all of the longer term increase in the prison population took place within two segments – those sentenced to immediate custody and those recalled to prison for breaking the conditions of their release.

The growth in the sentenced population was driven by two factors: (a) the courts sentenced more offenders to prison each year between 1999 and 2002; and (b) offenders have been staying in prison for longer.

Increase in numbers sentenced to immediate custody

From 1999 to 2002, increasing numbers of adult¹ offenders were sentenced to immediate custody for indictable offences². This was partly due to an increase in total numbers being sentenced and also to an increase in the immediate custody rate³ for indictable offences up to 2002. Since 2002, custody rates have stabilised.

The increase in the immediate custody rate is part of a wider trend of tougher sentencing outcomes. In addition to the immediate custody rate increasing, use of suspended sentences increased between 1999 and 2007 (due to the introduction of Suspended Sentence Orders (SSOs) in 2005), and use of fines declined.

Increase in time served in custody

From 1999 to 2009, there was an overall increase in the average time served in prison from 7.9 months to 8.8 months for those released from determinate sentences. This was due to an increase in the average custodial determinate sentence length handed down by courts between 2000 and 2004, and a decline in the parole release rate in 06/07 and 07/08 (which meant that offenders had served longer by the time they were released). The introduction of Indeterminate sentences for Public Protection (IPPs) in 2005 initially led to a small decrease in average sentence lengths (which exclude IPPs) but the most recent figures show an increase.

The average proportion of determinate sentence served in custody has increased slightly from around 55-57 per cent between 1999 and 2005 to around 59-61 per cent in 2006-2009, partly due to a decline in parole rate. This occurred despite the introduction of the End of Custody Licence scheme in June 2007 which had limited impact on the average time served because it only reduced the time served by a maximum of 18 days, and only affected those serving shorter sentences (4 weeks to less than 4 years)⁴.

¹ Aged 18 and over

² These cases include Indictable only offences, which are more serious in nature and tried at the Crown Court, or Triable-Either-Way which can be tried at the Crown Court or at magistrates' courts. More information on sentencing statistics and changes in sentencing policy can be found in the Ministry of Justice's annual Sentencing Statistics publication.

³ The number of offenders sentenced to immediate custody as a proportion of all those sentenced by the courts.

⁴ The scheme ended on 12 March 2010.

There has also been a steady increase in the number of lifers, while the overall indeterminate population increased rapidly after IPPs were introduced in 2005. The proportion of the sentenced prison population serving indeterminate sentences (life sentences or IPPs) increased from 8 per cent in 1999 to 18 per cent in 2009. Taking determinate sentences of 4 years or more together with indeterminate sentences, the population serving these long sentences increased by 12,800 between 1999 and 2009.

Increase in recall population

Changes to the law have meant that more offenders are liable to be recalled, and to spend longer in custody having been recalled. For more detail see Appendix C.

A total of 13,900 determinate sentenced offenders were recalled to custody during the year 2009-10, up 18 per cent from 2008-09 (11,800).

The number of offenders released from prison on Home Detention Curfew (HDC) fell by 2 per cent to 11,500 in 2009, there were 1,400 offenders recalled to prison, 740 more than in 1999 but considerably fewer than the high of 3,000 in 2004.

End of Custody Licence (ECL) was introduced on 29 June 2007. In 2009, 29,400 people were released on this scheme. During this period, there were 930 decisions to recall offenders on ECL to custody; 48 per cent of these decisions were for alleged re-offending.

The number of people on life licence who were recalled to custody in 2009 increased from 108 in 2008 to 124 in 2009, although this was still lower than previous figures (134 in 2007 and 164 in 2006).

What has caused the changes?

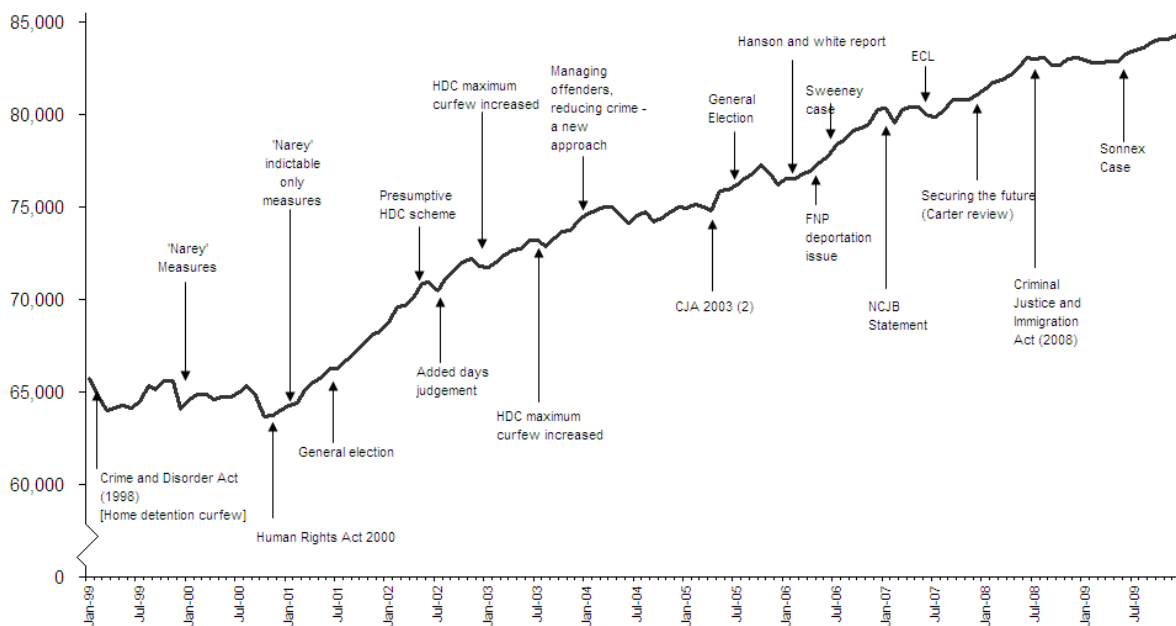
Two factors caused the increase in the prison population of England and Wales from 1999 to 2009: tougher sentencing and enforcement outcomes, and a more serious mix of offence groups coming before the courts.

Legislative and policy changes have made sentence lengths longer for certain offences (e.g. through the introduction of IPPs, mandatory minimum sentences and increased maximum sentences) and increased the likelihood of offenders being imprisoned for breach of non-custodial sentences or recalled to custody for failure to comply with licence conditions (as imposed on release from prison).

The remainder of the prison population increase reflects the increased seriousness of cases coming before the courts. Two offence groups, violence against the person (VATP) and drug offences, have had a particular impact on the prison population. Increases in both the numbers sentenced and the use of custodial sentences mean more of these offenders are entering prison. Once in prison these offenders are spending longer there, as reflected in longer average determinate sentence lengths for drug offences, and greater use of indeterminate sentences for VATP offences. Additionally, offenders who have committed serious crimes are less likely to be eligible to be released early on HDC, ECL or on licence.

Figure 1.1 shows the seasonally adjusted monthly prison population between 1999 and 2009, with policy changes and events shown which may have affected the size of the prison population during this period.

Figure 1.1 Prison population⁵ - policy interventions and other key events



Trends in the Probation Service caseload

The population under Probation Service supervision at the end of 2009 was 241,500, a 1 per cent fall from the previous year. However, over the longer term, this figure has increased by 38 per cent from 175,000 in 1999.

The number under a court order decreased by 4 per cent between 2008 and 2009, to 141,000, but showed an overall increase of 28 per cent (109,700 cases) from 1999⁶. There were 43,600 people supervised under Suspended Sentence Orders in 2009 (a 1 per cent decrease on 2008), which shows little change since 2007.

The number of offenders under pre or post-release supervision increased between 1999⁶ and 2009, from 68,800 to 102,000, representing an increase of 48 per cent from 1999⁶. This included an increase from 2008 to 2009 of 4 per cent.

⁵ Seasonally adjusted time series. See Appendix C for more information on key events.

⁶ Using estimated figures for 1999.

Factors affecting the size of the Probation Service caseload

The number of offenders starting court orders has continued to increase slightly in 2009, while the number being supervised at the end of the year (the caseload) has continued to decrease slightly. The reason for these different trends is that the average sentence length of Community Orders has reduced year on year since they were introduced, meaning that offenders spend less time on the caseload. In 2009 the figure was 13 months compared with 14.9 in 2008 and 22 months when they were introduced in 2005. For the same periods, the average sentence length for those starting SSOs was 17.1 months in both 2009 and 2008 and 18 months in 2005.

It is possible that SSOs have drawn in some who would previously have received longer Community Orders, partly explaining the fall in average length for Community Orders. The falling average could also be explained by the courts targeting these orders more effectively over time, choosing a shorter sentence, for example, with a more effective mix of requirements designed to better manage the offender.

There are two main factors relating to the higher caseload under pre or post-release supervision. First, there has been a continued growth in the number of offenders serving custodial sentences of 12 months or more (up 38 per cent between 1999 and 2009) who therefore require supervision on release from custody. Secondly, new arrangements brought in by the Criminal Justice Act 2003 mean that offenders are now spending longer periods on licence after release from custody.

Trends in Probation Service inflows

In 2009, 206,000 people started Probation Service supervision, either under a court order or under pre or post-release supervision from custody, representing little change from the number of starts in 2008, but a 17 per cent increase on 1999. The number of persons starting supervision increased in each year since 1999, with the exception of 2000 and 2001. The number of starts overall and for court orders are now at their highest ever level.

In 2009, 167,000 people started court order supervision, an increase of 1 per cent on 2008 and an increase of 32 per cent on 1999.

The number of people starting pre or post-release supervision has fallen from 56,600 in 1999 to 46,000 in 2009.

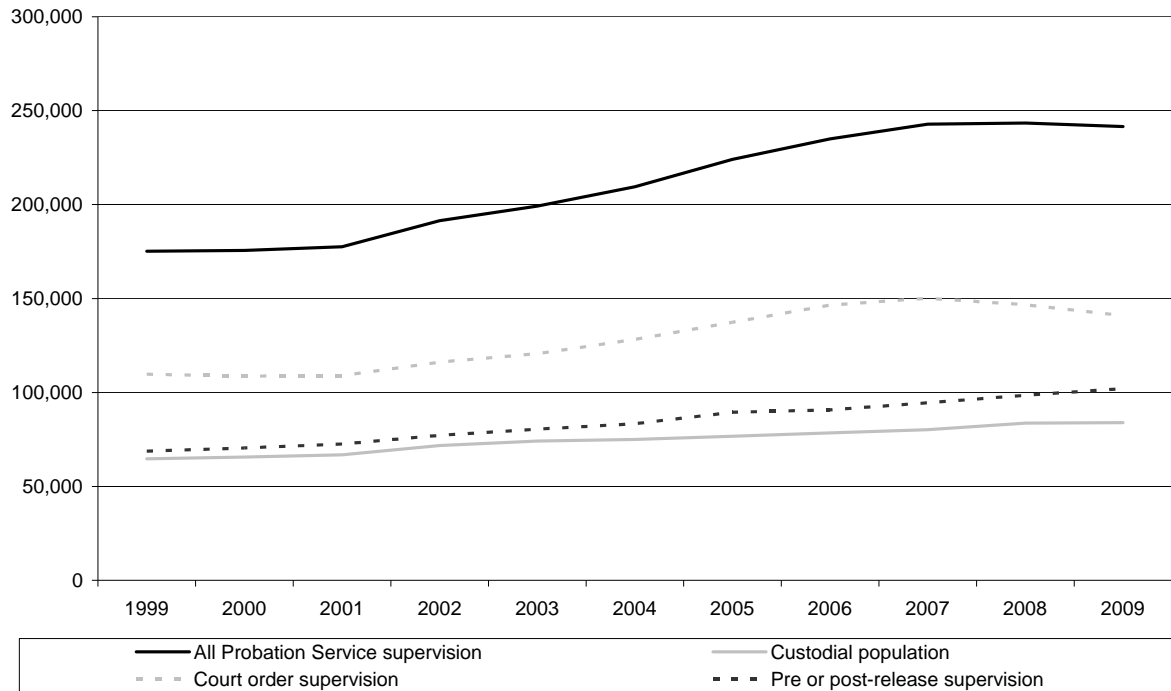
Mentally Disordered Offenders

The number of mentally disordered offenders detained in hospital as restricted patients has increased steadily since 1999. In 2009, there were 4,300 restricted patients, an increase of 8 per cent on 3,900 in 2008.

International Comparisons

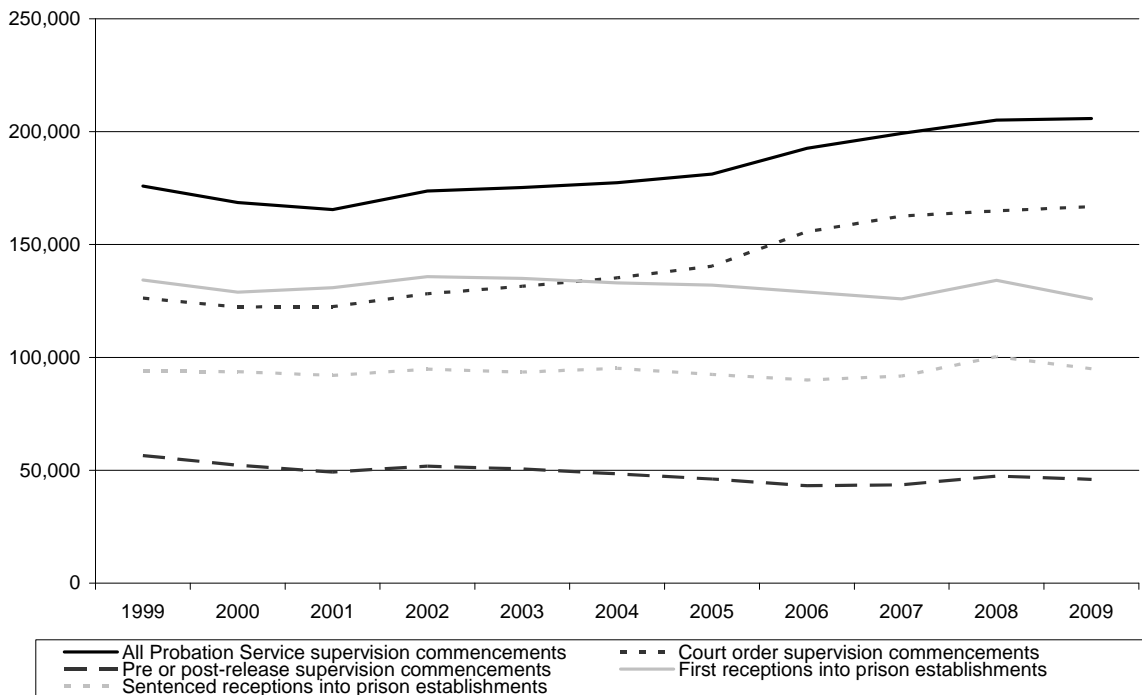
England and Wales, at 153 prisoners per 100,000 of the general population, had the eighth highest per capita rate in the European Union (EU) and the second highest per capita rate in the EU as it existed prior to the 2004 and 2007 enlargements, after Spain (164).

Figure 1.2 Probation Service and custodial caseload



Probation Service data in figure 1.2 prior to 2002 has been estimated due to inaccuracies with the data collection system before this time.

Figure 1.3 Flows into Probation Service supervision and prison establishments



Changes from Offender Management Caseload Statistics 2008

The content of some tables in chapters 6 to 9 has been estimated because of data quality issues. Any tables where this occurs are footnoted accordingly and the methodology is explained in Appendix B. Additionally some tables have been omitted or contain less information than previously because data are unavailable or not of sufficient quality. This has resulted in some renumbering of remaining tables.

There is a new chapter on mentally disordered offenders. These data previously appeared in a separate publication.

Serious further offences (previously in tables 5.3 to 5.6) no longer appear in this publication. Information on serious reoffending can be found with more general information on adult reoffending (www.justice.gov.uk/publications/reoffendingofadults.htm). Information on serious further offences committed by those under Probation Service supervision will be published in a new Ministry of Justice official statistics release later this year.

Deaths in Custody (previously in table 9.12) no longer appear in this publication as they are now published elsewhere. See Safety in Custody Statistics 2009 on the Ministry of Justice website.

Table 1.1 Offender management caseload statistics - percentage changes from a year ago and 10 years ago

England and Wales

	2009 figure	Percentage change from 2008	Percentage change from 1999
Prison receptions			
First receptions	125,877	-6% ↓	-6% ↓
Remand	75,266	-8% ↓	-11% ↓
Untried	55,207	-4% ↓	-15% ↓
Convicted unsentenced	37,003	-17% ↓	-19% ↓
Under sentence	94,964	-5% ↓	1% ↑
Fine Defaulters	1,343	-12% ↓	-64% ↓
Less than or equal to 6 months	50,442	-9% ↓	-4% ↓
Greater than 6 months to less than 12 months	9,194	-5% ↓	20% ↑
12 months to less than 4 years	25,279	3% ↑	7% ↑
4 years or more (excluding indeterminate)	7,391	1% ↑	21% ↑
Indeterminate sentences ⁽²⁾	1,315	-29% ↓	172% ↑
Non criminal	4,282	12% ↑	31% ↑
Prison population			
Prison population	83,454	0% →	29% ↑
Remand	13,456	0% →	7% ↑
Untried	8,933	2% ↑	13% ↑
Convicted unsentenced	4,523	-4% ↓	-3% ↓
Under sentence	68,488	0% →	33% ↑
Fine Defaulters	113	3% ↑	14% ↑
Less than or equal to 6 months	5,114	-13% ↓	-1% ↓
Greater than 6 months to less than 12 months	2,465	-14% ↓	13% ↑
12 months to less than 4 years	23,778	1% ↑	20% ↑
4 years or more (excluding indeterminate)	24,497	1% ↑	23% ↑
Indeterminate sentences ⁽²⁾	12,521	10% ↑	198% ↑
Non criminal	1,510	0% →	176% ↑
Prison releases			
Number of discharges			
Up to and including 6 months	47,400	-8% ↓	4% ↑
Over 6 months and less than 12 months	9,600	-1% ↓	20% ↑
12 months and less than 4 years	26,300	4% ↑	1% ↑
4 years and less than life	7,900	-8% ↓	36% ↑
All determinate sentence lengths	91,200	-4% ↓	7% ↑
Indeterminate sentences	195	41% ↑	63% ↑
Average percentage of time served (including time on remand)			
All determinate sentences	59%	-1% point ↓	+3% points ↑
Probation starts			
All court orders	166,837	1% ↑	32% ↑
All community sentences	127,012	1% ↑	*
Community order	122,796	2% ↑	*
All pre CJA orders	4,864	-22% ↓	*
Other sentences			
Deferred sentence	533	-9% ↓	*
Suspended sentence order	46,897	3% ↑	*
Pre and post release supervision	45,970	-3% ↓	-19% ↓
Persons supervised by the Probation Service			
Persons supervised by the Probation Service	241,504	-1% ↓	38% ↑
All court orders	140,951	-4% ↓	28% ↑
All community sentences	101,086	-5% ↓	*
Community order	97,481	-4% ↓	*
All pre CJA orders	3,947	-36% ↓	*
Other sentences			
Deferred sentence	108	20% ↑	*
Suspended sentence order	43,615	-1% ↓	*
All pre and post release supervision	102,022	4% ↑	48% ↑
Pre release supervision	67,587	1% ↑	44% ↑
Post release supervision	34,881	8% ↑	60% ↑

* As Community orders, deferred sentences and suspended sentenced orders were introduced in 2005 and almost entirely replaced pre CJA orders comparisons with 10 years ago are inappropriate. Pre CJA court orders and community sentences were synonymous

Table 1.2 Summary of Probation Service ⁽¹⁾ and custodial caseload

England and Wales	Number of persons										
	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
MALES AND FEMALES											
Population under Probation Service											
supervision ^(2,3)	175,100	175,600	177,600	191,394	199,237	209,461	224,094	235,029	242,722	243,434	241,504
Court orders	109,700	108,700	109,000	116,125	120,734	128,217	137,377	146,532	150,179	146,725	140,951
Pre or post-release supervision	68,800	70,500	72,600	77,235	80,399	83,408	89,438	90,740	94,459	98,477	102,022
Custodial population											
Prison establishments ⁽⁴⁾	64,529	65,194	66,403	71,218	73,657	74,488	76,190	77,982	79,734	83,194	83,454
Police cells ⁽⁴⁾	-	-	-	-	-	-	-	-	-	-	-
STCs ⁽⁵⁾	-	125	116	135	183	181	245	247	212	211	175
SCHs ⁽⁶⁾	145	267	292	314	327	267	238	225	259	262	258
		225									
MALES											
Population under Probation Service											
supervision ^(2,3)	154,000	154,400	156,300	168,037	175,998	185,105	198,508	208,982	216,028	216,708	215,046
Court orders	91,300	90,500	91,000	107,594	102,167	108,723	116,854	125,504	128,561	125,229	119,884
Pre or post-release supervision	65,200	66,700	68,400	72,840	75,615	78,436	84,192	85,583	89,269	93,136	96,545
Custodial population											
Prison establishments ⁽⁴⁾	61,322	61,839	62,690	66,824	69,062	70,036	71,676	73,519	75,451	78,689	79,158
Police cells ⁽⁴⁾	-	-	-	-	-	-	-	-	-	-	-
STCs ⁽⁵⁾	-	120	101	100	125	119	150	151	172	167	139
SCHs ⁽⁶⁾	..	214	232	243	262	219	188	182	157	151	184
FEMALES											
Population under Probation Service											
supervision ^(2,3)	21,100	21,200	21,300	23,357	23,239	24,356	25,586	26,047	26,694	26,726	26,458
Court orders	18,400	18,200	18,000	20,574	18,567	19,494	20,523	21,028	21,618	21,496	21,067
Pre or post-release supervision	3,600	3,800	4,200	4,395	4,784	4,972	5,246	5,157	5,190	5,341	5,477
Custodial population											
Prison establishments ⁽⁴⁾	3,207	3,355	3,713	4,394	4,595	4,452	4,514	4,463	4,283	4,505	4,296
Police cells ⁽⁴⁾	-	-	-	-	-	-	-	-	-	-	-
STCs ⁽⁵⁾	-	5	15	35	58	62	95	96	40	44	36
SCHs ⁽⁶⁾	..	53	60	71	65	48	50	43	102	111	74

(1) Each person under Probation Service is counted only once in the total even if they were subject to several types of supervision at the year end.

(2) As at 31st December each year. Source - Home Office up to December 2006. From December 2007, Ministry of Justice. A new system for collecting data was introduced in 2002, making any comparisons with earlier years unreliable. Data for 1999 to 2001 are adjusted for the change in the data collection system in 2002. Actual data for 1999 to 2001 can be found in earlier reports

(3) All supervision figure includes family court supervision. Responsibility for this supervision work was transferred to CAFCASS on 1 April 2001.

(4) As at 30th June each year. Source - Home Office up to June 2006. From June 2007, Ministry of Justice.

(5) As at 30th June each year. Source - YJB.

(6) Figures for 2000 to 2005 from YJB returns, as at 30th June each year. Figures for 1999 to 2000 from DfES returns as at 31st March each year and not available by sex for 1999.

Data Sources and Quality

These figures have been drawn from administrative IT systems. Care is taken when processing and analysing the returns, but the detail collected is subject to the inaccuracies inherent in any large scale recording system, and so although shown to the last individual, the figures may not be accurate to that level. See Technical appendix of report for fuller information.

Table 1.3 Summary of persons starting supervision by the Probation Service or being received into prison establishments⁽¹⁾

England and Wales	Number of persons										
	1999	2000	2001	2002	2003	2004 ⁽⁵⁾	2005	2006	2007	2008	2009
MALES AND FEMALES											
Probation Service supervision⁽²⁾											
All supervision ⁽³⁾	175,689	168,529	165,491	173,701	175,266	177,387	181,211	192,583	199,262	205,108	205,812
Court orders	126,299	122,345	122,514	128,168	131,493	135,296	140,430	155,614	162,648	164,873	166,837
Pre or post-release supervision	56,572	52,237	49,212	51,812	50,626	48,450	46,103	43,160	43,638	47,482	45,970
Prison establishments⁽⁴⁾											
First receptions	134,316	128,866	130,934	135,820	135,042	132,961	132,058	128,986	125,881	134,148	125,877
Remand receptions	84,105	81,336	82,668	91,525	91,188	85,483	84,846	83,747	79,695	81,728	75,266
Sentenced receptions	93,965	93,671	91,978	94,807	93,495	95,161	92,452	90,038	91,736	100,348	94,964
MALES											
Probation Service supervision⁽²⁾											
All supervision ⁽³⁾	152,532	145,923	142,997	150,113	152,018	153,520	156,877	166,722	172,382	176,958	177,146
Court orders	106,357	102,790	102,939	107,594	111,298	114,415	119,034	132,363	138,260	139,540	140,794
Pre or post-release supervision	52,980	48,853	45,790	48,295	46,978	44,952	42,771	40,062	40,573	44,059	42,795
Prison establishments⁽⁴⁾											
First receptions	123,441	118,184	119,682	123,219	122,096	120,407	119,783	117,036	114,034	121,472	114,833
Remand receptions	77,384	74,752	75,477	82,835	82,156	77,505	77,186	76,249	72,559	74,601	69,542
Sentenced receptions	86,934	86,516	84,674	87,008	85,426	86,759	84,268	82,192	83,652	91,336	86,772
FEMALES											
Probation Service supervision⁽²⁾											
All supervision ⁽³⁾	23,137	22,606	22,494	23,588	23,248	23,867	24,334	25,827	26,841	28,105	28,666
Court orders	19,942	19,555	19,575	20,574	20,195	20,881	21,396	23,251	24,388	25,333	26,043
Pre or post-release supervision	3,592	3,384	3,422	3,517	3,648	3,498	3,332	3,098	3,065	3,423	3,175
Prison establishments⁽⁴⁾											
First receptions	10,875	10,682	11,252	12,601	12,946	12,554	12,275	11,950	11,847	12,676	11,044
Remand receptions	6,721	6,584	7,191	8,690	9,032	7,978	7,660	7,498	7,136	7,127	5,724
Sentenced receptions	7,031	7,155	7,304	7,799	8,069	8,402	8,184	7,846	8,174	9,012	8,192

(1) Total number of persons entering prison or Probation Service supervision cannot be calculated by adding together the commencements and first receptions figures. This is because many people will be included in both categories (i.e. they will be received into prison and start Probation Service supervision in the same year).

(2) The all supervision figures count each person only once in this total for probation service supervision even if they started several types of supervision during the year.

(3) All supervision figure includes family court supervision. Responsibility for this supervision work was transferred to CAFCASS on 1 April 2001.

(4) First receptions provide an indication of the number of new prisoners in a time period. A person received into prison to serve a sentence may previously have been on remand after conviction prior to sentence, and before that as a remand prisoner awaiting trial. First receptions will count that prisoner only once in the relevant time period in which they were first received. First receptions will count an individual more than once if they have two or more different episodes in custody covering separate charges.

(5) Figures for 2004 may be slightly understated, due to low recording of pre and post release commencement data received from London Probation Service throughout this period. About a third of the overall decrease was due to the reduction in the London figures.

Data Sources and Quality

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Contact points for further information

Current and previous editions of Offender Management Caseload Statistics are available for download at www.justice.gov.uk/publications/prisonandprobation.htm. Spreadsheet files of the tables contained in this document are also available for download from this address.

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