



Ministry  
of Justice

## **Glossary**

# **Annual NOMS Digest 2015/16**

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# Annual NOMS Digest Glossary

## Abscond

A prisoner absconds when he/she gains liberty without the need to overcome physical security restraints, or evade direct staff supervision. In most cases, unlawfully at large (UAL) incidents from open prisons would be recorded as 'absconds'.

Not all UAL incidents from open prisons are classified absconds. If an open prisoner gains liberty having been segregated in secure accommodation, awaiting transport back to a closed prison, from secure accommodation, or from a secure escort, then the incident is classified as an escape.

## Accredited Programmes

Prison and probation services have been running accredited Offending Behaviour Programmes since the early 1990s, and this continues under the new arrangements for delivery of probation services. Accreditation is a system for ensuring that treatment programmes offered to offenders, which aim to reduce reoffending, have a proper theoretical basis, and are designed in accordance with the 'What Works' literature.

All of the interventions included within this publication are accredited via the Correctional Services Accreditation and Advisory Panel (CSAAP). It includes programmes that have been designed and developed by NOMS and also programmes designed by external providers such as the Rehabilitation for Addicted Prisoners Trust (RAPt 12 Step programmes) and Delight Services (COVAID). CSAAP accreditation gives the reassurance that programmes are evidence based, based on 'What Works' literature, on existing and emerging research and guidelines in addressing offending behaviour.

It is important to note there are also numerous non-accredited group-based interventions targeted at a range of offender needs which are delivered within the criminal justice system. Data for non-accredited programmes are currently not available.

Many programmes included in the Digest are no longer accredited, have been subsequently replaced or are no longer delivered. Accredited programmes are routinely reviewed as part of the CSAAP process for accreditation. CSAAP can grant accreditation for a period of up to five years, at which point a programme must be resubmitted. The accreditation process includes reviewing the latest theory and evidence that underpins a programme to ensure that they are as effective as possible in reducing reoffending. This can result in minor changes being required to a programme, or an entirely new programme being developed. Re-accreditation may also not be sought if there has been a substantial drop in the need for a programme.

NOMS has a range of accredited programmes, varying in length, complexity and mode of delivery. Programmes have been developed to target the particular risks and needs for different types of offending behaviour. To achieve accreditation, programmes must be assessed to make sure they are targeting the right people, focusing on the right things, and being delivered in a way that is most likely to reduce reoffending. All NOMS accredited programmes are monitored to give programme integrity.

In this publication, programmes are grouped into one of five categories: Domestic Violence, General Offending, Sex Offending, Substance Misuse or Violence:

- Domestic Violence programmes are targeted at males who have offended against an intimate partner within the context of a heterosexual relationship. The aim is to reduce violent behaviour in intimate relationships.
- General Offending programmes consist of a range of interventions based on life skills acquisition and cognitive behavioural theory. They are designed to address the link between thinking, attitudes, beliefs and offending. Offenders are encouraged to learn and practice life skills, such as problem solving, social skills, self-control and positive relationships, that will help them on their journey towards desistance from offending.
- Sex Offending programmes aim to reduce offending by adult male sex offenders. Sexual offending does not have a single cause, and so treatment needs to address a range of risk factors. NOMS provides a range of programmes which are offered according to the level of risk and need of the offender. A treatment pathway for males with intellectual disabilities is also available. The current commissioning strategy including SOTPs, are set out in the NOMS Commissioning Intentions 2014, and companion documents.
- NOMS accredited substance misuse interventions are recovery focused, and include a range of programmes based on life skills acquisition, cognitive behavioural theory, a therapeutic community, a 12 Step abstinence approach and a programme which combines cognitive behavioural and educational approaches. All of the programmes are designed to address the link between substance use and offending. It should be noted that the NOMS suite uses the umbrella term of 'substance misuse interventions' which covers both alcohol and drug treatment, with some programmes addressing both.
- NOMS Violence programmes have expanded from moderate dose cognitive skills and anger management programmes to more specialised and high intensity programmes for high risk and personality disordered males and women. The current suite of programmes incorporates the most contemporary research and evidence in neuro-cognition and desistance theories and methods. The programmes also target associated and contributory risk factors including weapons and peer/gang related behaviours as well as work on identity.

For the purposes of this publication, a programme start is counted as attendance at the first session of the programme and a programme completion is counted on attendance at the last session of the programme. This year the tables are incorporated within the NOMS Digest for the first time and this has resulted in a change to the definition of a completion for the latest year and the restated figures for the previous year. Completion of a programme is only counted once confirmation of completion is received through NOMS performance processes.

Programmes may also have other components which do not form part of these statistics, for example, pre and post evaluation measures, post-programme reports and pre and/or post programme sessions with the Offender Manager.

These data should not be used for the purposes of attempting to calculate completion rates. Starts from one year may complete in a subsequent year, and completions in one year may have started in a previous year.

## **Crowding**

Crowding is measured as the number of prisoners who, at unlock on the last day of the month, are held in a cell, cubicle or room where the number of occupants exceeds the uncrowded capacity of the cell, cubicle or room. This includes the number of prisoners held two to a single cell, three prisoners in a cell designed for one or two and any prisoners held crowded in larger cells or dormitories. For example, if 12 prisoners occupy a dormitory with an uncrowded capacity of 10, then the 12 prisoners are counted as crowded.

The level of crowding for each prison is set by senior operational managers in NOMS in agreeing the operational capacity of each establishment. Usable operational capacity is the best assessment of the total number of prisoners that the estate can readily hold taking into account control, security and the proper operation of regimes including single cell risk assessments. It allows for the fact that prisoners are managed separately by sex, risk category and conviction status and that the population will not exactly match the distribution of places available across the country. Usable operational capacity is currently set at 2,000 places (the "operating margin") below the overall capacity of the prison estate.

No prison will be expected to operate at a level of crowding beyond that agreed by a senior operational manager

### **Prisoner Crowding Rate**

The percentage of prisoners held in crowded accommodation

### **Prisoner Doubling Rate**

The percentage of prisoners held in doubled accommodation (2 are held in a cell that is meant for one).

## **Electronic Monitoring**

Electronic monitoring was introduced in 1999 to support the police, courts, prisons and wider justice system in England and Wales.

It is a way of remotely monitoring and recording information on an individual's whereabouts or movements, using an electronic tag which is normally fitted to a subject's ankle. The tag transmits this information, via a base unit installed in a subject's residence, to a monitoring centre where it is processed and recorded in case management systems. Staff in the monitoring centre review this information to see whether an individual is complying with the conditions of their curfew or other electronically monitored requirement. Where a subject is not complying, the electronic monitoring provider either acts on this information themselves or provides it to the relevant authority to take the necessary enforcement action.

Electronic monitoring is used:

- as a condition of court bail;
- as a requirement of a court sentence, including community orders and suspended sentences;
- as a licence condition following release from custody, including Home Detention Curfew;
- as a condition of immigration bail, managed by the Home Office; and

- to intensively monitor a small number of subjects on specialist orders including Multi-Agency Public Protection Arrangements (MAPPA), Special Immigration Appeals Commission (SIAC), and Terrorism Prevention and Investigation Measures (TPIMs). These are monitored with a Global Positioning System (GPS) tag rather than a radio frequency (RF) tag.

Since February/March 2014, EMS Capita has supplied the electronic monitoring service under contract to the Ministry of Justice.

## **Escape From Establishment and Escort**

A prisoner escapes from prison if they unlawfully gain their liberty by breaching the secure perimeter of a closed prison, i.e. the outside wall or boundary of the prison. It is also classified as an escape if a prisoner deliberately deceives staff to engineer a release by, for example, impersonating another prisoner.

A prisoner escapes from an escort if they are able to pass beyond the control of escorting staff and leave the escort, the van, the building (court, hospital etc.) This may involve overcoming physical security restraints, such as a wall or fence, locks, bolts or bars, a secure vehicle, handcuffs, or the direct supervision of escorting staff. Escapes are further distinguished by their seriousness, duration and circumstances:

- An incident is deemed to be a KPI escape and included in the annual total if (i) the prisoner is at liberty for 15 minutes or more before recapture or (ii) an offence is committed during and escape lasting less than 15 minutes.
- An incident is deemed to be a non-KPI escape if the prisoner is recaptured in less than 15 minutes and does not commit any other offence whilst he or she is at liberty.
- A Category A escape occurs where the prisoner escaping has been categorised as category A. Category A prisoners are those whose escape would be highly dangerous to the public, the police or the security of the State and for whom the aim must be to make escape impossible.

Only KPI escapes data are published in the Annual NOMS Digest.

### **KPI Category A Escapes**

Total number of KPI Category A prisoner escapes from establishments and HMPS escorts.

### **KPI Contracted Out Escort Escapes**

Total number of KPI prisoner escapes from Contractor escorts.

### **KPI Prison Escapes**

Number of KPI prisoner escapes from establishments.

### **KPI Prison Escorts Escapes**

Number of KPI prisoner escapes from HMPS escorts.

### **Total KPI Escapes**

Total number of KPI escapes from establishments and HMPS escorts

## **Foreign National Offender referrals**

Prisons are required to refer all foreign national offenders (FNOs), including those whose nationality is unknown, to Home Office Criminal Casework within 10 working days of receiving a custodial sentence (except where release is due within one calendar month, when the referral must be made immediately). This is to make sure FNOs receive due consideration for deportation/removal by the Home Office before their release.

An FNO is someone who does not hold British nationality. Nationality is self-declared by prisoners on initial reception into prison custody, or may have been confirmed by the Home Office prior to prison custody.

## **Incentives and Earned Privileges**

The Incentives and Earned Privileges (IEP) scheme was introduced in 1995 with the expectation that prisoners would earn additional privileges through demonstrating responsible behaviour and participation in work or other constructive activity. On 30 April 2013, Ministers announced the outcome of a review of the IEP national policy framework and made it clear that, in order to earn privileges, prisoners will now have to work towards their own rehabilitation, behave well and help others.

Part of the revisions to the national policy framework, which came into effect on 1 November 2013, saw the introduction of the new Entry level which sits between Basic and Standard level.

In line with the national policy, local incentive schemes operate on four levels: Basic, Entry, Standard and Enhanced. IEP arrangements must be fair, consistent and not subject to unfair discrimination. They support the requirements of the establishment and meet the needs of the population where practicable. Basic level provides access to the safe, legal and decent requirement of a regime on normal location.

## **KPI**

Key Performance Indicator – a metric used to assess performance.

## **Mother and Baby Units**

Prison Rule 12(2) entitles the Secretary of State to permit a female offender to have her baby in prison with her subject to any conditions he sees fit. In line with this, Prison Service Instruction (PSI 49/2014) requires Governors/ Directors to ensure that procedures are in place to ask women on reception or at the earliest opportunity whether they are pregnant or have children under the age of 18 months. The National Offender Management Service in certain circumstances allows mothers to care for their babies in Mother and Baby Units (MBUs) in prison.

A MBU is a designated living accommodation within a women's prison, which enables mothers, where appropriate, to have their children with them. MBUs promote the care of babies and young children by their mother. Mothers are enabled and encouraged to have their children with them in prison during the important period of bonding and arrangements

are in place to assess and admit suitable mothers. There are currently six MBUs across the women's prison estate in England and Wales which provide an overall total capacity of 64 places for mothers. However, there are a total of 70 places for babies to allow for twins.

Women who are pregnant or who have children under the age of 18 months can apply for a place on a MBU. All applications for places on MBUs are referred to an Admissions Board, which makes a recommendation to the Governor/Director of a prison with a MBU on whether a child and mother should be admitted to such a unit. The Board must be multi-disciplinary and include an Independent Chair, MBU Manager, Community Offender Manager, and have input from Local Authority Children's Services. The best interests of the child are the primary consideration, alongside the safety and welfare of other mothers and babies on the unit. The Chair must communicate the recommendation within 24 hours of the conclusion of the Board, though it is the responsibility of the Governor/Director of the prison to reach the final decision. An applicant has the right to appeal a decision not to allocate a place on an MBU, with appeals determined by the Head of the Women's Team.

Findings suggest that during the first 18 months of life the pressure of maturation tends to protect babies from low stimulation environments and development progresses normally<sup>1</sup>. However, from the age of 18 months babies may be more sensitive to the stimulation of the environment they reside in. It is for this reason that MBUs have an 18 month age limit and separations should be planned to take place prior to reaching the age of 18 months. A separation plan must be agreed for each mother and child when they arrive on the unit, setting out the care arrangements that will be initiated should the need for separation arise. This plan should be revisited whenever the woman's domestic circumstances change. Separation Boards, also chaired by an Independent Chair, are convened to consider the separation plan and to ensure that decisions about the separation process are carefully considered, appropriate and defensible.

The 18 month age limit has some flexibility in exceptional circumstances, however any final decision to admit a child after the age of 18 months to a MBU or a proposal to separate a child from their mother after they have attained 18 months must be taken by the Head of Women's Team and will be decided on a case by case basis.

More information about the Prison Service Instruction (PSI 49/2014) for MBU management, guidance and applications can be found at:

[www.justice.gov.uk/downloads/offenders/psipso/psi-2014/psi-49-2014-mother-and-baby-units.pdf](http://www.justice.gov.uk/downloads/offenders/psipso/psi-2014/psi-49-2014-mother-and-baby-units.pdf)

## **Orders and licences successfully completed**

This is an indicator of offender compliance which measures orders and licences<sup>2</sup> at their point of termination. It shows the proportion of these that have terminated successfully, i.e. which have run their full course without being revoked for breach or a further offence or which have been revoked early for good progress.

## **Prisoners' Earnings subject to the Prisoners' Earnings Act Levy**

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<sup>1</sup> Jiminez, J.M and Palacios, J (2003) When home is in jail: Child Development in Spanish Penitentiary Units, *Infant and Child Development*, 12, 461-474.

<sup>2</sup> Orders will include Court orders, Community Orders, Further details on the types of orders and licences are given in the Guide to Offender Management Statistics at [www.gov.uk/government/statistics/offender-management-statistics-quarterly-october-to-december-2015](http://www.gov.uk/government/statistics/offender-management-statistics-quarterly-october-to-december-2015).

The Prisoners' Earnings Act (PEA) commenced on 26 September 2011. It enables prison governors to impose a levy of up to and including 40 per cent on wages over £20 per week (after tax, national insurance, any court ordered payments and any child support payments) of prisoners who have been assessed as being of low risk of absconding or re-offending and allowed to work outside of prison on temporary licence, in order to prepare for their eventual release.

The PEA provides that the amounts arising from the levy can be directed to four purposes:

- to prescribed voluntary organisations concerned with victim support or crime prevention;
- into the Consolidated Fund to contribute to the prisoner's upkeep;
- to the prisoner's dependants; or
- to an investment account held on the prisoner's behalf.

In 2011 Ministers decided that all the funds allocated to the Ministry of Justice from the imposition of the levy would be paid to voluntary organisations concerned with victim support, and prescribed Victim Support for this purpose. Over £2m has already been raised for support for victims of crime.

## **Prisoner Population**

The average number of prisoners within each establishment per year. Prison Population figures have been used for the basis of any data that displays a rate or proportion of the prisoner population. Within prison population, there are two specific measures of population;

- Individual Prison Population = {Sum of monthly population} divided by {number of months prison was operational}
- National Prison Population = {Sum of monthly population} divided by 12

## **Prisoners working in custody**

The Government remains committed to the ambition to increase work in prisons. The intention is to have more prisoners working and working longer hours in an 'employment like' atmosphere. The aim of this is:

- To make sure that prisoners are occupied in purposeful activity whilst in establishments; or
- To give offenders the opportunity to learn new skills and experience and support finding employment on release

NOMS are committed to working with businesses and other government departments to significantly increase work activity undertaken by prisoners in custody. ONE3ONE Solutions is the NOMS vehicle with responsibility for finding increased work for prisons. ONE3ONE collaborate with Public and Private Sector Prisons, who then have the responsibility to deliver the work.



The work activities that have been included as work are:

Academy, Aluminium, Assembly/Packing, Braille, Call Centres, Catering (commercial), Charity, Concrete, Data Entry, Desk Top Publishing, Electrical, Engineering, Food Packing, Hospitality, In-cell Work, Land Based Activity (commercial), Laundry, Newgate Furniture, Plastics, Printing, Recycling (external), Remanufacture/Refurbishment, Retail, Signs, Textiles and Woodwork.

Activities such as cooking, serving meals, maintenance and cleaning and work placements undertaken by offenders on release on temporary licence are not included.

## Prison Function

Prisons are classified by their predominant prison function, but a number of prisons are multi-functional and hold a range of types of prisoner. The information presented in this report gives the predominant function. These are as follows:

Prison Function	Description
<b>Local prisons</b>	These serve the courts and receive remand and post-conviction prisoners, before their allocation to other establishments. They hold many short-term prisoners; remand prisoners; those waiting allocation to training prisons; and may hold a small number of immigration detainees). The short-term prisoners held in local prisons are those who are due for release in to the surrounding area and as such engage with resettlement providers in the last three months of their sentence.
<b>Closed training prisons</b>	Termed Category B or C in the tables, they provide a range of facilities for category “B” or category “C” prisoners who are serving medium to long-term sentences. Prisoners tend to be employed in a variety of activities such as prison workshops, gardens and education and in offending behaviour programmes. A number of category “C” training prisons have also been identified as “resettlement prisons”. These prisons are expected to hold category “C” prisoners, serving sentences of between 12 months and under four years, who will engage with resettlement providers in the last three months of their sentence.
<b>Open prisons</b>	Accommodate category “D” prisoners whose risk of absconding is considered to be low, or who are of low risk to the public because of the way they have addressed their offending behaviour. Open prisons also house indeterminate and longer-sentenced prisoners who are coming towards the end of their sentence and who have gradually worked their way down the categories. Open prisons are part of the resettlement programme to reintegrate prisoners back into society. While Open prisons may have some workshop facilities, some of the prisoners will work in the community, returning to the prison in the evening.
<b>Dispersal</b>	These prisons hold the most difficult and dangerous prisoners in England and Wales including all of those assessed as category “A”.
<b>Women’s prisons</b>	All female prisons have been identified as a “resettlement prison” and are aligned to Contract Package Areas. Offenders released from resettlement prisons are expected to be released with a package of

support delivered by one of the new Community Rehabilitation Companies, enabling better linkage with local resettlement services and improved family contact.

**Young Offender Institutes (YOIs)** Hold either young people (15 to 17 year old boys), young adults (18 to 21 years old) or a mixture of both in separate accommodation.

**Immigration Removal Centres (IRCs)** These are operated by NOMS on behalf of the Home Office. Immigration removal centres hold adult male immigration detainees awaiting decisions on their asylum claims or awaiting deportation. They include foreign national offenders who have completed their prison sentence.

## Random Mandatory Drug Testing

NOMS has a comprehensive range of measures to reduce the supply of drugs into prisons including the Random Mandatory Drug Testing (RMDT) programme which is the best available measure of the prevalence of drugs misuse in prisons. The target for Random Mandatory Drug Testing was removed in 2011/12. Data are still collected for management information purposes.

The level of drug misuse in prisons is measured by the Random Mandatory Drug Testing programme (RMDT). The aim of RMDT is to test a random sample of 5 per cent or 10 per cent of prisoners each month (depending on prison capacity) and to monitor and deter drug-misuse. Failing a random mandatory drug test is a disciplinary offence that may lead to additional time being added to the sentence. RMDT can also act as a useful trigger for referring into treatment individuals who fail tests.

The drugs which were tested in 2015/16 which made up the 2015/16 RMDT rate included:

- Cannabis
- Opiates
- Cocaine
- Benzodiazepines
- Amphetamines
- Methadone
- Barbiturates
- Buprenorphine

Other drug types will likely be included in the RMDT rate at a later date.

## Release in Error (RIE)

A prisoner is released in error if they are wrongly discharged from an establishment or court when they should have remained in custody, and the prisoner has not deliberately played a part in the error (i.e. the prisoner had no intent of escaping). Examples include misplaced warrants for imprisonment or remand, recall notices not acted upon, sentence miscalculation or discharging the wrong person on escort.

If it is believed that the situation was in any way manipulated by the prisoner, for example by taking the identity of another person, then this will be classified as an escape, and not a release in error.

## **Release on Temporary Licence (ROTL)**

Release on Temporary Licence (ROTL) is the mechanism under which offenders may be released into the community, generally towards the end of their sentences, for rehabilitative purposes. It can play an important role in public protection by allowing risk management plans for offenders to be tested in the community under strict conditions before they are released. It also provides a valuable means of helping offenders prepare for their resettlement in the community by, for example, finding work or rebuilding links with their families, which helps to reduce reoffending.

Rate is calculated as the number of successful returns to establishments divided by the total number of prisoners released on temporary release licence.

## **Staff sickness**

The indicator of staff sickness looks at the average number of working days lost through sickness absence.

## **Temporary Release Failure/Failure to Return**

A temporary release failure after a release on temporary licence (ROTL) occurs when a prisoner fails to adhere to any condition written into the licence that permits their temporary release. Such conditions include the date and time by which the prisoner is required to return to the prison and may also place restrictions on where the prisoner may go and whom they may visit during the period of release, etc.

Failure to return after release on temporary licence is the subset of the above where a prisoner has not returned to the establishment by the designated time. If the prisoner returns shortly after the designated time, the failure may be classified as a late return, as opposed to a failure to return, at the discretion of the establishment. Failures to return result in a prisoner being classified as unlawfully at large.

## **Still at Large**

The number of prisoners who have escaped, absconded or failed to return from temporary release, and have not yet been apprehended by the police and returned to prison by the reference date. The year given is the year of the original incident.

## **Unlawfully at Large**

There are three types of incidents which result in a prisoner being unlawfully at large. These are escapes (including those from contractor escorts), absconds and failure to return from temporary release.

These are monitored to analyse the frequency across the estate and identify any trends nationally, while taking into consideration the management of risk to the public.