



Ministry
of Justice

Glossary

National Offender Management Service Offender Equalities Annual Report 2015/16

Ministry of Justice
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Glossary for the NOMS Offender Equalities Annual Report

2011 Census Population

The 2011 Census classifies the usual resident population of England and Wales as at census day, 27 March 2011, by ethnic group, by sex and by age.

Sex is the classification of a person as either male or female.

Age is derived from the date of birth question and is a person's age at their last birthday, at 27 March 2011. Dates of birth that imply an age over 115 are treated as invalid and the person's age is imputed. Infants less than one year old are classified as 0 years of age.

Ethnic group classifies people according to their own perceived ethnic group and cultural background.

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.

Adjudications

Adjudications are the formal discipline system. The Prison and YOI Rules authorise the Governor or, in a contracted establishment, the Director to conduct adjudications. The Governor may under certain circumstances delegate adjudication powers and duties. In all disciplinary hearings the adjudicator must be satisfied beyond reasonable doubt that the accused committed the offence with which they are charged before deciding the charge is proven.

Deaths in Prison

A death in prison custody is defined as 'any death of a person in prison custody arising from an incident in or, on rare occasions, immediately prior to prison custody'.

All deaths in prison custody are subject to a police investigation and a coroner's inquest. Once the inquest has been concluded, the Prisons and Probation Ombudsman's office publish a detailed 'Fatal Incident Report' on the death. Until this time, for administrative and statistical purposes, NOMS classify deaths by apparent cause of death.

As there are a number of deaths yet to be classified, it is likely that some will be reclassified when sufficient information becomes available. For this reason all figures for the last two years are provisional.

Natural cause deaths include any death of a person as a result of a naturally occurring disease process. The majority of deaths in prison custody were from natural causes.

Self-inflicted deaths are any death of a person who has apparently taken his or her own life irrespective of intent. This not only includes suicides but also accidental deaths as a result of the person's own actions. This classification is used because it is not always known whether a person intended to commit suicide.

Homicides include any death of a person at the hands of another. This includes murder and manslaughter cases. As with self-inflicted deaths, the classification system does not make any judgement about intent with regards to homicide.

'Other' deaths include any death of a person whose death cannot easily be classified as natural causes, self-inflicted or homicide. The category includes accidents and cases where the cause of death is unknown even after all of the investigations have been concluded.

Deaths in the Community

Deaths of offenders in the community is defined as any death of an offender that occurred while under probation supervision during the time they were:

- serving their court order sentences in the community (including community orders, suspended sentence orders
- on post-release supervision after completion of a custodial sentence.

Deaths of offenders supervised by the probation services prior to release from prison custody (pre-release supervision) are not included as part of this publication. These are deaths in custody, published separately as National Statistics in the Safety in Custody statistics bulletin.

Statistics in this section are based on annual returns from probation providers but may not always capture all offenders that died during supervision in the community. The death of an offender may only come to light when they are informed by third parties such as the police, the medical profession or friends and family of the deceased. At the time of reporting, probation staff may not have sufficient information regarding the circumstances of the death to assign an apparent cause. And results of any investigations or inquests following the death are not always circulated back to the probation providers. As such, between 14% and 27% of deaths remain unclassified in each year between 2010/11 to 2015/16, and these are unlikely to be subsequently updated. Accordingly, caution is advised in comparison of categories of deaths across time.

The main responsibilities of offender managers in the community are to assess, supervise and rehabilitate offenders. While they can encourage offenders to address issues affecting their health and wellbeing, their ability to manage the health of the offender are more limited than those provided by staff in the prisons. Offenders in the community have a greater responsibility for their own healthcare.

Each death has been classified as one of the following apparent causes, as allocated at the time of reporting based on information held and reported by the probation provider (NPS, CRC or Probation Trust) to NOMS:

- Accident: Any death of a person arising from external causes, accidental overdose/poisoning and deaths where taking a drug contributed to a death but not in fatal amounts.
- Homicide: Any death of a person at the hands of another (includes murder and manslaughter).
- Natural causes: Any death of a person as a result of a naturally occurring disease process.
- Other: Any death of a person whose death cannot easily be classified as natural causes, self-inflicted, accident or homicide. The cause of death may never be known even after all of the necessary investigations have taken place.
- Self-inflicted: Any death of a person who has apparently taken his or her own life irrespective of intent.
- Unclassified: Any death where there is insufficient information to make a judgement about the cause at the time of reporting.

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.

Home Detention Curfew (HDC)

The HDC scheme was introduced following the passage of the Crime and Disorder Act 1998. The purpose of HDC is to manage more effectively the transition of offenders from custody back into the community. Prisoners who are not subject to a statutory exclusion may be released on licence after serving a required period, determined by their sentence length. Prisoners will normally be released on HDC unless there are grounds to indicate the prisoner is unlikely to complete successfully the period on HDC. Once released on HDC licence, the prisoner is electronically tagged and compliance with his or her licence conditions monitored. Eligibility for HDC covers prisoners serving sentences of between 3 months and 4 years, who are not in certain excluded groups.

Incentives and Earned Privileges

IEP is a system where privileges, in addition to minimum entitlements, can be granted to prisoners or young offenders subject to their reaching and maintaining specified standards of conduct and performance. The IEP scheme rewards good behaviour and performance (enhanced status) and removes privileges if expected standards are not maintained (basic status). In addition to any local aims, it is intended to encourage prisoners to behave responsibly, to participate in constructive activity, and to progress through the system. There is also an entry IEP for all new prisoners entering custody (apart from those aged 15-17).

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.

IEP figures are taken as a snapshot at a moment in time, however IEP status is very dynamic, changing rapidly to reflect behaviour of prisoners. As such, a snapshot at a given moment of time may not reflect the overall pattern across the year. Caution should be used in consideration of the splits of IEP by protected characteristic, as while these accurately represent IEP status on 31 March 2015, this may not give a typical reflection of the IEP levels of each protected characteristic across the entire financial year.

Offenders in the Community

Since 1 June 2014, probation trusts have been replaced by the National Probation Service (NPS), which manages the most high-risk offenders across seven divisions; and 21 new Community Rehabilitation Companies (CRCs), who manage medium and low-risk offenders.

Order and Licence Completions

The National Probation Service and Community Rehabilitation Companies are responsible for supervising offenders in the community under two main types of supervision: orders and licences. Orders are non-custodial sentences of the court. Licences are statutory periods of supervision that offenders serve in the community upon release from custodial sentences of 12 months and over.

Successful completions of orders and licences are those which are recorded on the case management system as having expired normally (i.e. without being revoked for failure to comply or for a further offence) or which have been terminated early by the court for good progress. Drug rehabilitation requirements are included in the calculation.

Prisoner Population

Prison establishments record details for individual inmates on the prison IT system (Prison-NOMIS). The information recorded includes details such as date of birth, sex, religion, nationality, ethnic origin, custody type, offence, reception and release dates and, for sentenced prisoners, sentence length. The data from individual prison establishments then feeds through to a central computer database, called the Inmate Information System (IIS), from which data extracts are used to produce the various analyses of prison population.

On 30 June 2015, the data extracts used to produce statistics on the prison population transitioned to a new extract which extracts information from the Prison-NOMIS system directly and without needing to be processed by the Inmate Information System. As a result, vast improvements in data quality were observed and more detailed information about the prison population became available. In particular, the new extract has more accurate sentence length information and richer detail about offences committed.

Until June 2009, the prison population data used for analysis was derived by combining two sources: the individual level data collected on IIS, and a set of aggregate totals from each prison establishment giving the numbers held in each prison broadly subdivided according to age group, sex, custody type and sentence length. The individual level data was scaled to the aggregate totals to create the monthly prison population dataset used for all analysis.

Following the rollout of the new prison IT system, Prison-NOMIS, the prison population data is now drawn from a single source, removing the need for the scaling process used previously. All prison population data from July 2009 onwards is taken from this new data source.

Re-offending

A proven reoffence is defined as any offence committed in a one year follow-up period that leads to a court conviction, caution, reprimand or warning in the one year follow-up or within a further six month waiting period to allow the offence to be proven in court.

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.

Self-harm

Self-harm in prison custody is defined as, “any act where a prisoner deliberately harms themselves irrespective of the method, intent or severity of any injury.”

Sexual Identity

Sexual identity is one part of the umbrella concept of “sexual orientation”. Sexual identity does not necessarily reflect sexual attraction or sexual behaviour – these are separate concepts which the Office for National Statistics (ONS) currently does not measure.

Sexual identity estimates are based on social survey data from the Annual Population Survey (APS). The questions collect information on self-perceived sexual identity from the household population aged 16 and over in the UK. Currently no further breakdown of the category “Other” is collected.

Sexual Orientation

Sexual orientation is one of the six equality strands covered by legislation. Sexual orientation is an umbrella term which encompasses several dimensions including sexual identity, attraction and behaviour. For the purposes of the legislation, sexual orientation is not defined in terms of any specific dimension.

Transgender Prisoners

Transgender prisoners are defined as those individuals currently living in, or are presenting in, a gender different to their sex assigned at birth and who have had a case conference (as defined by [PSI 07/2011 - Care and Management of Transsexual Prisoners](#)), as known to individual prisons.

It excludes information on the number of prisoners who have already transitioned and have a full Gender Recognition Certificate. Statistics on the number of all applications to the Gender Recognition Panel are published in Tribunals and gender recognition statistics quarterly at www.gov.uk/government/statistics/tribunal-and-gender-recognition-statistics-quarterly-october-to-december-2015.

There will be some transgender prisoners who have not had a case conference and some who are not known to prison staff. Thus, the figures presented in this report give an indication of the number of transgender prisoners and there may be some undercounting.

Temporary Release Failure

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.