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# Offender Management Statistics Bulletin, England and Wales

Quarterly: July to September 2022 Prison population: 31 December 2022

# **Main points**

81,806 prisoners in England and Wales as at 31 December 2022	The total prison population was 3% higher than at the same point in the previous year.
15,817 first receptions into prison between July and September 2022	The number of first receptions represented a rise of 5% compared to the same period in 2021.
11,650 releases from sentences between July and September 2022	This was 1% lower than the same period in 2021.
39,282 adjudication outcomes between July and September 2022	This was 8% higher than the same period in 2021. Additional days were awarded as punishment on 631 occasions – this represents a 13% rise compared to the same period in 2021.
6,209 licence recalls between July and September 2022	This represents a 9% increase on the same quarter in 2021.
240,674 offenders on probation at the end of September 2022	This number was 2% higher than the number of offenders supervised at end of September 2021.

This publication provides offender management quarterly statistics for the latest date available and provides comparisons to the previous year.

For technical detail please refer to the accompanying guide, 'Guide to offender management statistics'.

#### Statistician's comment

In this publication we are reporting on the prison population as at 31 December 2022, with comparisons to the same point in 2021. Over this 12-month period, the total prison population has risen by around 2,700 (which represents a 3% increase) to 81,806. However, the prison population has not yet returned to pre-pandemic levels; the 31 December 2022 prison population is still around 1,200 below the level of 31 March 2020.

The increasing remand population trend that we have seen since early 2020 has continued (an 11% increase between 31 December 2021 and 31 December 2022). There were increases over the past 12 months in both elements of the remand population - the 'untried' population increased by 12% and the 'convicted unsentenced' population increased by 8%. This likely reflects the impact of court recovery following COVID-19 restrictions, resulting in an increase in the number of prisoners held on remand. The large increase in the 'untried' population this quarter has likely also been driven in part by strike action by the Criminal Bar Association during autumn 2022<sup>1</sup>.

The 'as at 31 December' prison population figures are generally lower than at other times of the year (due to prisoners being released before Christmas public holidays and court closures over the festive break), but the remand prison population in late-2022 was the highest for at least 50 years.

The prisoner flows data in this publication cover the period July to September 2022 (with the comparison period being July to September 2021). The number of prisoner first receptions from April to June 2022 was around 15,800 (5% higher than this equivalent period in 2021). This is still below the level of around 18,000 per quarter seen pre-pandemic.

As COVID restrictions on normal prison regime are relaxed we will see very large percentage changes in certain areas. For example, there were around 97,500 incidences of Release on Temporary Licence (ROTL) between July and September 2022 – this is a 30% increase compared to the same quarter in 2021, but only a partial return towards pre-COVID levels of around 110,000 per quarter.

Large percentage changes can also be seen in a number of ROTL sub-types, for example the number of ROTL incidences for 'Resettlement Overnight Release' has increased by 60%, and the number of 'Work Related' ROTL incidences has increased by a third, compared to the same period in 2021. This is associated with changes in operational practices, moving away from COVID-19 restrictions that had been imposed on the prison regime.

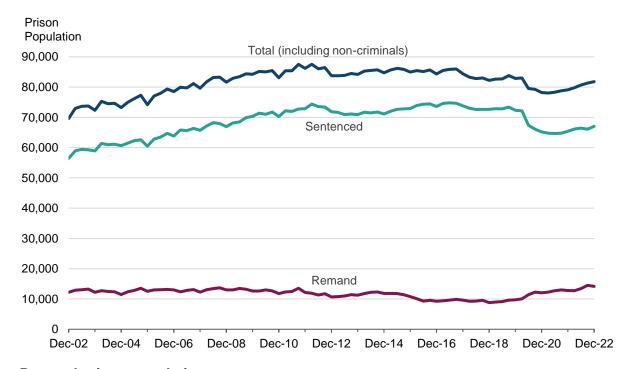
<sup>&</sup>lt;sup>1</sup> Further contextual information regarding the impact of the Criminal Bar Association action on court cases can be found in the most recent Criminal Court Statistics publication here: https://www.gov.uk/government/statistics/criminal-court-statistics-quarterly-july-to-september-2022

## 1. Population

#### The prison population stood at 81,806 on 31 December 2022.

The sentenced prison population stood at 67,031 (82% of the total); the remand prison population stood at 14,143 (17%) and the non-criminal prison population stood at 632 (1%).

Figure 1: Prison populations, December 2002 to 2022 (Source: Table 1.1 and previous Offender Management Statistics Quarterly publications)



#### Remand prison population

Between June 2016 and the start of the COVID-19 pandemic in 2020, the remand population was under 10,000. Since the start of the pandemic, it has increased and this quarter's figure of 14,143 is 11% higher than in December 2021. Recent industrial action by barristers is likely to have also contributed to this figure. The untried prison population rose by 12% (to 9,306) when compared to the end of December 2021 whilst the convicted unsentenced population rose by 8% (to 4,837) over the same period.

Most of those in custody on remand were being held for either: violence against the person (29% of the untried population and 18% of the convicted unsentenced population); or drug offences (24% of the untried population and 34% of the convicted unsentenced population).

#### Sentenced prison population

The sentenced population was 67,031 which is a 2% increase from the same point 12 months earlier. This was primarily driven by changes in the Recall and Extended Determinate Sentence populations (see below).

#### **Population and Offence group**

While "sexual offences" is one of the largest groups amongst prisoners serving immediate custodial sentences, the population had been falling since it peaked in mid-2018. However, over the past year, the number has risen gradually again, with a 5% increase (to 12,745) in the 12 months to 31 December 2022. The remand population with an associated "sexual offence" has

also increased over the past 12 months (a 41% rise for the untried remand population, and a 15% rise in the convicted unsentenced population).

Three in every ten (31%) inmates serving an immediate custodial sentence have been convicted of a Violence Against the Person (VATP) offence. This proportion has increased from the 'one in four' (25%) level seen in recent years.

#### **Extended Determinate Sentences (EDS)**

EDS constitute a custodial term, the majority of which is served in prison, followed by an additional extended period of licence in the community. They can be imposed if the offender is found guilty of, or has a previous conviction for, a specific sexual, violent or terrorist offence. On 31 December 2022, 7,155 prisoners were serving such sentences; an 11% increase compared to the same time last year and the first time that the quarterly figure has been over 7,000. Prisoners serving EDS now account for 9% of the total prison population.

#### Indeterminate sentences

As at 31 December 2022, there were 8,513 (8,186 male; 327 female) prisoners serving indeterminate sentences (Imprisonment for Public Protection (IPP) and life sentences). This represents a slight overall decrease (-1%) when compared with 31 December 2021.

The number of unreleased prisoners (7,119) serving life sentences has increased by 1% compared to one year ago whereas the number of unreleased IPP prisoners fell by 13% to 1,394. At point of sentencing, offenders are given a minimum time period ("tariff") that they must serve in prison before they can apply to the Parole Board for release. The majority (57%) of the remaining unreleased IPP prisoners have been held for more than nine years beyond the end of their tariff.

The number of recalled prisoners serving life sentences increased by 13% to 753 when compared to December 2021 whilst the number of recalled Imprisonment for Public Protection (IPP) prisoners saw a 10% increase to 1,498.

#### Recall to custody

The population recalled to custody (10,697 prisoners) has increased by 12% relative to the total a year earlier. The increasing recall population is likely driven by a combination of factors such as a longer-term increase in the average length of determinate sentences and an increase in the number of people serving indeterminate sentences or sentences with an extended licence.

# Foreign National Offenders (FNOs)

There were 9,797 (2,951 remand, 6,261 sentenced and 585 non-criminal) foreign nationals held in custody as at 31 December 2022; representing 12% of the total prison population. The number of FNOs in the prison population has remained stable (decreasing by less than 1%) compared to 31 December 2021. The most common nationalities after British Nationals in prisons are Albanian (13% of the FNO prison population), Polish (8%), Romanian (8%), Irish (6%), Lithuanian (4%), and Jamaican (4%).

## 2. Prison receptions and admissions

#### 15,817 offenders were received into custody as first receptions in the latest quarter.

10,295 were remand first receptions, 5,465 were sentenced first receptions and 57 were civil non-criminal first receptions.

#### Offender first receptions

The total number of first receptions between July and September 2022 was 5% higher than the same quarter in 2021. The number of first receptions still remains lower than pre-pandemic levels (of 17,000 – 18,000 per quarter).

There were 2,757 first receptions of foreign nationals during Q3 (July to September) 2022, which is 10% higher compared to the same quarter in 2021. The representation of foreign nationals amongst first receptions has remained the same since 2020, around 17% of first receptions were foreign nationals. The five foreign nationalities with the highest numbers of first receptions in the latest quarter were: Albanian (396), Romanian (364), Polish (296), Irish (132), and Lithuanian (110). When taken together, these five nationalities accounted for just under half (47%) of the 2,757 first receptions of foreign nationals in Q3 2022.

#### **Prison admissions**

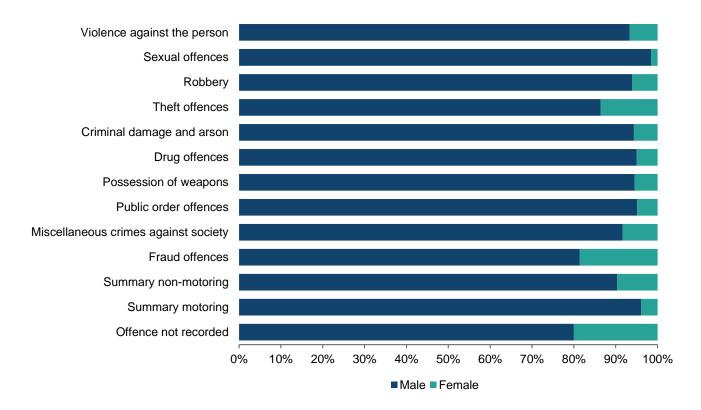
As compared to the same quarter in 2022, the number of untried and recall admissions increased – untried by 15% and recall admissions by 6%. The number of convicted unsentenced admissions decreased by 9% and sentenced admissions fell by 7% - likely driven in part by the impact of the Criminal Bar Association strike on normal court processes.

When considering immediate custodial sentenced admissions by offence group, violence against the person had the largest number of sentenced admissions overall, accounting for 21%. The largest overall decrease, as compared to Q3 2021, occurred in the Drug offences group, down by 32%.

When compared with the same quarter last year, there were decreases in sentenced admissions across all sentence length bands – with the exception of 'less than 12 months' (8% increase) and 'Extended Determinate Sentences' (10% increase).

As compared to females, males made up a larger proportion of sentenced receptions across each offence, but there are certain offences where this difference was more pronounced - sexual offences and summary motoring (see figure 2 below).

Figure 2: Representation (percentage) of male and female immediate custodial sentenced prisoner admissions in each offence group between July and September 2022 (Source: Table 2.5b)



#### **Former Members of the Armed Forces**

When individuals are first received into custody, they complete a Basic Custody Screening (BCS) process. This serves to identify their needs in areas including employment, childcare and healthcare. As part of this process, they are asked whether they had served in the armed services. Between July and September 2022, 138 matched individuals first received into custody answered that they had served in the armed services - this represented 2% of those who provided a response to the question at the point of their first reception during the latest quarter.

#### 3. Releases

#### 11,650 offenders were released from custody in the latest quarter.

11,545 releases from determinate sentences and 105 from indeterminate sentences.

#### Prison releases from custodial sentences

The number of prisoner releases between July and September 2022 was 1% lower than the same quarter in 2021.

Between July and September 2022, there was an overall decrease, of 10%, in the number of prisoners released from sentences of 4 years or more (excluding indeterminate sentences), as compared to the same period in 2021. A larger decrease was seen for releases from indeterminate sentences, with a fall of 22% compared to the same quarter in 2021.

#### Releases on Home Detention Curfew (HDC)

The number of offenders released on HDC in the latest quarter dropped to 2,210, a decrease of 7% compared to the same period last year. The number of offenders who might have been eligible for HDC (based on sentence length) over the same period was up 8% (10,156) compared to the same quarter in 2021.

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

Most ROTL was suspended for much of the pandemic period. HMPPS has, however, worked closely with public health authorities to re-introduce access to ROTL<sup>2</sup> when and where it is safe to do so, and accounting for the changing national restrictions.

As a result of these changes to prison regimes, ROTL numbers have continued to increase. There were 97,482 incidences of ROTL during the quarter ending September 2022, which (as the post-COVID recovery continues) represents a 30% increase compared to the same quarter in 2021 but still remains below pre-pandemic levels. Of the ROTL incidences in the latest quarter, 68% were for 'Work Related' reasons.

The number of individuals receiving at least one incidence of ROTL between July and September 2022 continued to rise following the changes to prison regimes, up 15% from the same quarter in 2021. 4,257 individuals were released on temporary licence in the latest quarter.

There were 209 Temporary Release Failures (TRF) between July and September 2022. This represents a rate of around 1 TRF for every 460 incidences of ROTL.

#### **Prisoner transfers**

Between July and September 2022 there were 18,248 incidences of prisoner transfer, with 15,562 prisoners having at least one incidence of transfer. Both figures represent increases since the same period of 2021, with rises of 11% and 8% respectively, as transfers continue to recover towards pre-pandemic levels.

<sup>&</sup>lt;sup>2</sup> https://www.gov.uk/government/publications/covid-19-national-framework-for-prison-regimes-and-services

# 4. Adjudications

#### There were 39,282 adjudication outcomes between July and September 2022.

This is an increase of 8% on the same quarter a year ago. Additional days were awarded as punishment on 631 occasions in this quarter.

Two thirds (66%) of adjudications were proven.

The number of proven adjudications has increased by 2% (to 25,775) from the same quarter in 2021, and there was a 5% rise in the number of punishments (to 44,972).

Offences of 'unauthorised transactions' were the largest contributors to the increases in proven adjudications and punishments described above.

A third (34%) of proven adjudications were for offences of 'disobedience and disrespect', with the next largest category being 'unauthorised transactions' (28%). The number of proven adjudications for 'unauthorised transactions' and 'violence' offences rose by 22% (to 7,208) and 2% (to 4,085) respectively on the same quarter of the previous year. This has been offset by a fall in other categories, in particular 'wilful damage' and 'disobedience and disrespect'. They fell by 16% (to 2,569) and 5% (to 8,806) respectively on the same quarter of the previous year.

Additional days were awarded as punishment on 631 occasions between July and September 2022; this is a 13% rise compared with the same period in 2021. A total of 9,400 days were awarded in the latest quarter – this is a 12% rise compared with the same quarter in 2021 (8,380 days between July and September 2021).

While the overall number of adjudication outcomes increased by 8% in comparison to Q3 2021, this is still lower than pre-pandemic levels (of around 50,000 per quarter).

More information about the trends in Adjudications between 2011 and 2018 can be found in 'The Adjudications Story' publication.

#### 5. Licence Recalls

The number of licence recalls between July and September 2022 was 6,209, of which 376 were recalls from Home Detention Curfew (HDC).

The total number of recalls increased by 9% compared to the same quarter in 2021.

The total number of quarterly recalls trended upwards between October-December 2016 and July-September 2019. There was a marked increase in the number of quarterly recalls from early 2018 to July-September 2019, mostly due to increases in the number of HDC recalls and recalls of offenders from determinate sentences of 12 months or more. These numbers then began to fall, and the downward shift was accelerated by the introduction of COVID-19 restrictions. Following relaxation of COVID-19 restrictions in early 2021, the number of quarterly recalls has generally gone up with the latest figure being an increase of 8% from the previous quarter and an increase of 9% from a year ago. Nevertheless, the latest total number of recalls is lower than levels just before the onset of the COVID-19 Pandemic.

Following relative stability up to January-March 2020, the number of quarterly recalls of offenders released from a sentence of under 12 months noticeably began to fall, falling below 2,000 for the first time since July-September 2016, partly due to the introduction of COVID-19 restrictions. The relaxation of COVID-19 restrictions contributed to recent increases in these numbers, with the latest figure (2,152) representing an increase of 9% from the previous quarter and an increase of 25% from a year ago. The latest figure exceeds 2,000 for the first time since January-March 2020.

The pattern in quarterly recalls of offenders with a sentence of 12 months or more (including those with indeterminate sentences) more closely mirrors that of the overall quarterly recalls as this group usually constitute about 2/3 of overall recalls. Between July and September 2022, there were 4,057 recalls of such offenders, representing an increase of 8% from the previous quarter and an increase of 2% from a year ago.

Ethnicity proportions in quarterly recalls have remained relatively stable, with about 8 in 10 recalls being white, 9% being black and 4% being Asian in the latest figures.

There usually is more than one reason for recalling an offender on licence. Of recalls in July-September 2022, about 30% involved a charge of further offending, 72% involved non-compliance, 29% involved failure to keep in touch, and 26% involved failure to reside.

Between July and September 2022, 111 IPP prisoners and 39 prisoners serving a life sentence were rereleased, having previously been returned to custody for a breach of licence conditions. These together represent a decrease of 21% from the same quarter a year ago.

#### Offenders not returned to custody

Of all those released on licence and recalled to custody due to breaching the conditions of their licence between April 1999 and September 2022, there were 2,207 who had not been returned to custody by the end of December 2022.

A further 16 offenders had not been returned to custody as of December 2022 after recall between 1984 and April 1999, meaning the total number of offenders not returned to custody at the end of December 2022 was 2,223. These figures include some offenders believed to be dead or living abroad but who have not been confirmed as dead or deported.

Of the 2,223 not returned to custody by 31 December 2022, 365 had originally been serving a prison sentence for violence against the person offences

#### 6. Probation

The total number of offenders on probation (i.e., court orders and pre/post-release supervision) at the end of September 2022 was 240,674.

This represents a 2% increase compared to the end of September 2021.

Latest figures continue to show that the trends in probation starts and caseload volumes are at similar levels to those observed prior to the COVID-19 pandemic;<sup>3</sup> this follows increases more broadly since operational restrictions,<sup>4</sup> introduced in response to the pandemic, were lifted in late spring 2020.

As of 30 September 2022, there were 240,674 offenders supervised by the Probation Service (Figure 3), representing a 2% increase compared to 30 September 2021 and a 1% decrease compared to 30 June 2022.

Between the end of September 2021 and the end of September 2022, court order caseload increased by 6% from 107,364 to 114,073, with the number of offenders on a community order (CO) and those on a suspended sentence order (SSO) with requirements both increasing by 5% and 10% respectively.

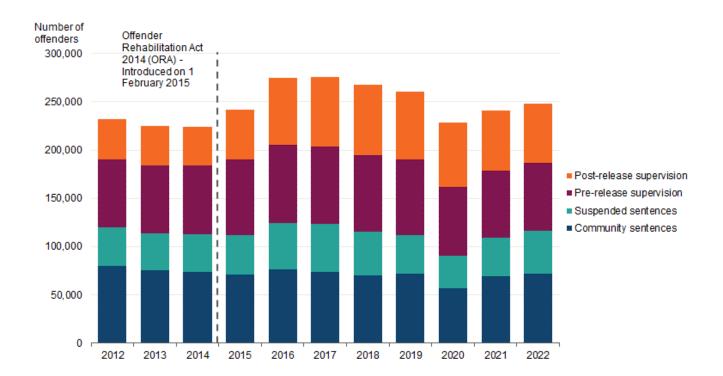
The total caseload of offenders supervised before or after release from prison at the end of September 2022 was 131,215, representing a decrease of 0.2% compared to the end of September 2021.

<sup>&</sup>lt;sup>3</sup> Total caseload as at 31 December 2019 (i.e., the last reporting period prior to the pandemic) stood at 247,759:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\_data/file/981212/Probation Q4 2020.ods

<sup>&</sup>lt;sup>4</sup> This included temporary court closures.

Figure 3: Number of offenders under Probation Service supervision, 30 September 2012 to 30 September 2022 (source for 2018 to 2022: Table 4.6; source for years prior to 2018: Table 4.7)<sup>5</sup>



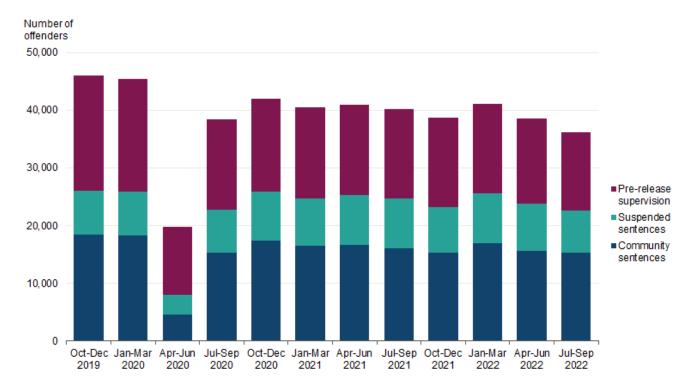
Between July and September 2022, 36,212 offenders started court order or pre-release supervision (Figure 4), representing decreases of 6% on the previous quarter and of 10% compared to the same quarter a year ago.

Between July to September 2022, the number of offenders starting court orders, specifically, decreased by 5% on the previous quarter and decreased by 8% compared to the same quarter a year ago. The number of offenders starting COs decreased by 2% to 15,193 compared to the previous quarter and decreased by 5% compared to the same quarter a year ago. Meanwhile, the number of offenders starting SSOs with requirements decreased by 10% to 7,300 compared to the previous quarter and decreased by 15% compared to the same quarter in the previous year. Additionally, over the latest quarter, there were decreases of 8% and 13% in the number of offenders starting pre-release supervision compared to the previous quarter and the same quarter in the previous year respectively.

The numbers of offenders starting Probation Service supervision decreased across most offence groups. However, compared to the same quarter in the previous year, increases in those starting COs due to criminal damage and arson, sexual offences and committing violence against the person offences were observed between July to September 2022 (increases of 20%, 14% and 5% respectively). Consequently, the number of offenders on the Probation Service supervision caseload for a criminal damage and arson offence, sexual offences and violence against the person offences as at 30 September 2022 also increased by 3% to 247, 17% to 1,975 and 38% to 9,187 respectively, compared to the caseload as at 30 September in the previous year.

<sup>&</sup>lt;sup>5</sup> The number of offenders on the probation caseload in 2020 was substantially reduced as a result of the operational restrictions that were put in place on the 23 March 2020 in response to the COVID-19 pandemic. While the impact of these operational restrictions continued into subsequent periods, figures in more recent periods have recovered to pre-pandemic levels.

Figure 4: Number of offenders starting supervision under the Probation Service, October to December 2019 to July to September 2022 (source: Table 4.1)<sup>6</sup>



Between July and September 2022, 24,328 requirements started under COs and 13,066 requirements started under SSOs, representing decreases of 4% and 14% respectively compared to the same period in the previous year. Over the same period, rehabilitation requirements started under COs and SSOs decreased by less than 0.5% to 10,487 and by 11% to 5,976 respectively and remains the most common requirement included within a CO or SSO.

Under COs and SSOs, there were increases across a number of other requirement types compared to the same quarter in 2021. Within COs, mental health, exclusion, alcohol treatment, drug treatment and unpaid work requirements increased by 54% to 346, by 19% to 246, by 13% to 972, by 12% to 912 and by 2% to 7,763 respectively. Under SSOs, alcohol treatment, mental health and drug treatment requirements increased by 12% to 505, 9% to 165, and by 2% to 551 respectively.

Since the roll-out of the alcohol abstinence and monitoring requirement at the end of 2020, the numbers started have risen; figures for July to September 2022 show increases of 51% to 762 and 41% to 381 under COs and SSOs respectively compared to the same quarter in 2021.

In terms of the most frequently used combinations of requirements, rehabilitation requirements combined separately with alcohol abstinence, drug treatment, and alcohol treatment requirements increased by 66%, 24% and 21% respectively under COs between July to September 2022 compared to the same period a year ago. Over the same period, under SSOs, rehabilitation requirements combined separately with alcohol abstinence and alcohol treatment increased by 56% and 28% respectively.

levels.

<sup>&</sup>lt;sup>6</sup> Between April and June 2020, the number of cases processed at the criminal courts was substantially reduced as a result of the operational restrictions that were put in place on 23 March 2020 in response to the COVID-19 pandemic. While the impact of these operational restrictions continued into subsequent periods, figures in more recent periods have recovered to pre-pandemic

Of the 14,192 COs and 7,102 SSOs terminated between July and September 2022, 74% and 79% respectively were terminated successfully, i.e., ran their full course or were terminated early for good progress.

In the quarter July to September 2022, the total number of pre-sentence reports (PSRs) prepared by the Probation Service increased by 3% to 20,609 compared to the previous quarter and decreased by 9% compared to the same quarter in 2021.

Furthermore, 90% of immediate custodial sentences proposed in PSRs resulted in that sentence being given in the year ending September 2022, representing the highest concordance between sentence proposed and sentence given.

#### **Further information**

This publication presents quarterly and annual data trends.

Our statisticians regularly review the content of publications. Development of new and improved statistical outputs is usually dependent on reallocating existing resources. As part of our continual review and prioritisation, we welcome user feedback on existing outputs including content, breadth, frequency, and methodology. Please send any comments you have on this publication including suggestions for further developments or reductions in content.

# **Accompanying files**

As well as this bulletin, the following products are published as part of this release:

- A 'Guide to Offender Management Statistics', which provides comprehensive information about data sources and quality, as well as key legislative changes.
- A document outlining the 'Users of Offender Management Statistics'
- A set of data tables, covering each section of this bulletin, including a prison population data tool.

#### **National Statistics status**

National Statistics status means that official statistics meet the highest standards of trustworthiness, quality, and public value. All official statistics should comply with all aspects of the Code of Practice for Official Statistics. They are awarded National Statistics status following an assessment by the Authority's regulatory arm. The Authority considers whether the statistics meet the highest standards of Code compliance, including the value they add to public decisions and debate.



It is the Ministry of Justice's responsibility to maintain compliance with the standards expected for National Statistics. If we become concerned about whether these statistics are still meeting the appropriate standards, we will discuss any concerns with the Authority promptly. National Statistics status can be removed at any point when the highest standards are not maintained and reinstated when standards are restored.

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