



Ministry
of Justice

Guide to HMPPS Offender Equalities Annual Report

2022/23

Ministry of Justice
Official Statistics Bulletin

Contents

Introduction	3
Overview of HMPPS Annual Offender Equalities Report.....	3
Timeframe and Publishing Frequency of Data.....	3
Revisions Policy	3
1. Changes in Source of Administrative Systems or Methodology	3
2. Receipt of Subsequent Information.....	3
3. Errors in Statistical Systems and Processes	4
About the Data.....	4
Data Sources	4
Suppression of data	4
Accredited Programmes	4
Transgender Prisoners	6
Population and Percentages	6
Use of Technical Terms and Abbreviations.....	6
Ethnic Group Classification	7
Glossary for the HMPPS Offender Equalities Annual Report.....	7
Electronic Monitoring	7
Incentives (formerly Incentives and Earned Privileges or IEP)	7
Mother and Baby Unit (MBU)	8
Pregnant Prisoners.....	8
Prisoner Population	9
Sexual Identity.....	9
Sexual Orientation	9
Transgender Prisoners	9

Technical Guide for the HMPPS Annual Offender Equalities Report

Introduction

This document provides further detail on the statistics presented in the report HMPPS Annual Offender Equalities Report 2022/23.

The National Offender Management Service (NOMS) was created as an executive agency of the Ministry of Justice in April 2008, with the goal of helping prison and probation services work together to manage offenders through their sentences. On 1 April 2017, Her Majesty's Prison and Probation Service (HMPPS) replaced National Offender Management Service (NOMS).

Overview of HMPPS Annual Offender Equalities Report

This section describes the timing and frequency of the publication and the revisions policy relating to the statistics published.

Timeframe and Publishing Frequency of Data

This publication is produced on an annual basis and provides information relating to financial years 2022/23; the latest financial year period for which data are available. The next publication is scheduled for release in November 2024.

Revisions Policy

In accordance with Principle 2 of the Code of Practice for Official Statistics, the Ministry of Justice is required to publish transparent guidance on its policy for revisions. A copy of this statement can be found at:

www.justice.gov.uk/downloads/statistics/mojstats/statistics-revisions-policy.pdf

The reasons for statistics needing to be revised fall into three main categories. Each of these and their specific relevance to the HMPPS Offender Equalities Annual Report are addressed:

1. Changes in Source of Administrative Systems or Methodology

The data within this publication come from a variety of administrative systems. This technical document will clearly present where there have been revisions to data accountable to switches in methodology or administrative systems. In addition, statistics affected within the publication will be appropriately footnoted.

2. Receipt of Subsequent Information

The nature of any administrative system is, there may be time lags with regards to when data is recorded. This means that any revisions or additions might not be captured in time to be included in the subsequent publication.

3. Errors in Statistical Systems and Processes

Occasionally errors can occur in statistical processes; procedures are constantly reviewed to minimise this risk. Should a significant error be found, the publication on the website will be updated and an errata slip published documenting the revision.

About the Data

Data published in this report, and sourced from other statistical publications, were drawn from both administrative IT systems and manual data collection returns. Although care is taken when processing and analysing the data, the level of detail collected is subject to the inaccuracies inherent in any large-scale reporting system.

There were several areas where data is unavailable for some protected characteristics. Data coverage for sexual orientation and marriage and civil partnership continue to be limited in some areas, and thus cannot be published. Disability data for offenders also continues to be limited. Efforts are being made to improve the coverage of these data.

It is important to note that the data presented highlight areas where there were differences in the results between groups and where practitioners and others might wish to undertake more in-depth analysis to understand further the reasons for such differences. This should not be equated with discrimination, as there are many reasons why apparent disparities might exist.

Data Sources

Data on offenders have been drawn from a range of different sources. Data on prison population¹ are published by the Ministry of Justice. This data drawn from administrative systems and the data quality is generally assessed to be good. Data for other topic areas are sourced from the HMPPS Performance Hub, Case Management systems; Mother and baby unit and pregnant prisoner data collections and in the case of transgender statistics, a specialised annual data collection administered by individual prison establishments.

Data quality is assessed to be good where published. Where data does not meet quality standards or where it has not been possible to identify demographic information on offenders the data are excluded from the release (e.g. accredited programmes for offenders in the community).

Suppression of data

To reduce the risk of individuals being identified in the data, whole numbers fewer than three have not been disclosed. These figures are shown as a '~' in the data tables.

Due to the sensitivity of the data collected in the transgender prisoner collection it has been assessed that a suppression rule of five offenders or fewer (including zero) is applied to these data. This is to ensure identification or self-identification of individuals is not possible.

Accredited Programmes

All of the interventions included within this publication are accredited via CSAAP. It includes programmes that have been designed and developed by HMPPS and also programmes

¹ Prison population data can be found at: <https://www.gov.uk/government/statistics/offender-management-statistics-quarterly-april-to-june-2022>

designed by external providers such as the Rehabilitation for Addicted Prisoners Trust (RAPt 12 Step programmes) and Delight Services (COVAID) and Kainos Community (challenge to change).

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

Many programmes included in this review 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.

HMPPS 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 HMPPS accredited programmes are monitored to give programme integrity.

In this publication, programmes are grouped into one of five categories: Domestic Violence, General Offending, Sexual 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. Participants 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.
- Sexual Offending programmes aim to reduce offending by men convicted of sexual offences. Sexual offending does not have a single cause, and so treatment needs to address a range of risk factors. HMPPS 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 learning disabilities is also available.
- HMPPS accredited substance misuse interventions are recovery focused, and based on life skills acquisition, cognitive behavioural theory, and a programme which combines cognitive behavioural and educational approaches. All of the programmes are designed to address the link between substance misuse and offending. It should be noted that the HMPPS suite uses the umbrella term of 'substance misuse interventions' which covers both alcohol and drug treatment, with some programmes addressing both.
- HMPPS 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.

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. This 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.

Transgender Prisoners

Details of the number of transgender prisoners were provided by Equalities Representatives in public and private prisons in England and Wales. Data collections occurred in March and April 2016, March and April 2017, March - May 2018, March and April 2019, April and May 2021, March and April 2022, and March and April 2023. This collection did not take place in 2020 due to operational changes across all prisons in response to the COVID-19 pandemic. New guidance on the care and management of transgender offenders was issued in 2017 and was then replaced with the current policy framework in 2019. This 2019 framework was revised in February 2023 so that transgender women and women with GRCs who retain their birth anatomy and/or have committed violent or sexual offences cannot be held in the general women's estate, unless an exemption is granted by a Minister.

Population and Percentages

Prison population statistics as at a point in time (31 March²) have been used for sections analysing prison population, and prisoner Incentives status, as this reflects current reporting practice in HMPPS statistical publications and is the basis on which the statistics on prisoner Incentives status are collected.

Percentages are provided to enable comparisons for each of the protected characteristics and are used to represent the proportion (e.g. Black, Asian or Minority Ethnic) within a particular population and to represent the proportion of a specific outcome (e.g. completions for accredited programmes out of all calculated to be eligible) for a group (e.g. female prisoners).

When calculating percentages, any unreported data in a protected characteristic group (e.g. ethnicity, religious beliefs) have been excluded from the analysis to avoid anomalies.

Unknown Incentives status have also been removed from percentages in different status group to remove anomalies.

Use of Technical Terms and Abbreviations

² Apart from for years 2005 – 2011 where this data was not available for all protected characteristics being analysed, and data was used as at 30 June.

Where terms are abbreviated, the full term is used in the first instance, and thereafter abbreviations are used.

Technical terms have been avoided as much as possible, except where this acts as a useful means to avoid repetition, explanations have been provided in the glossary.

Ethnic Group Classification

To enable meaningful time series comparisons and to avoid disclosing confidential or personal information about offenders, this report continues to present data using the 5 + 1 ethnic groupings (Asian or Asian British, Black or Black British, Other ethnic group, Mixed ethnic group, White, Not Stated) classification that has traditionally been presented in the HMPPS Equalities Annual report. Data collected are based on the 18 + 1 classification used in the 2011 Census. A small number of cases will still be based on the old 16 + 1 2001 census classifications, however, these align to the same 5 + 1 classifications meaning there is no impact on comparability.

Glossary for the HMPPS Offender Equalities Annual Report

Ethnic minority

This phrasing is used across Government to describe collectively all those declaring themselves to be from an ethnic minority background other than the white British group. While ethnic minorities would include white minorities, such as Gypsy, Roma and Irish Traveller groups, comparisons within this publication are made to the white group as a whole which necessarily includes these ethnicities. The term “ethnic minority” will therefore exclude white minorities. The nationality of these individuals is not considered when reporting an ethnic category.

Electronic Monitoring

Statistics on Electronic monitoring has been moved out of the HMPPS Offender Equalities Report to a separate publication, most recently published on 19 October 2023:

<https://www.gov.uk/government/statistics/electronic-monitoring-statistics-publication-september-2023>

Incentives (formerly Incentives and Earned Privileges or IEP)

An incentives scheme (formerly known as Incentives and Earned Privileges - IEP) 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. They allow prisoners to earn privileges through good behaviour and engagement in the regime and rehabilitation. Privileges can also be lost through poor behaviour. The IEP scheme operated on four levels: Basic, Entry, Standard and Enhanced, until August 2019 when Entry level was abolished. It was replaced by the Incentives Policy Framework in January 2020. The new policy has a greater focus on incentivising positive behaviour, providing consistency in key areas, whilst giving governors greater flexibility to tailor incentives to the local needs and challenges in their prison.

Prisoners typically start on Standard level, and positive behaviour can be rewarded with progression to Enhanced (or levels above Enhanced, where individual prisons have chosen to operate an incentives scheme with levels above Enhanced), while poor behaviour can result in prisoners being placed on Basic – with the associated increase or reduction in privileges. Basic level provides access to the safe, legal and decent requirement of a normally running regime.

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

Mother and Baby Unit (MBU)

A Mother and Baby Unit (MBU) is a separate designated living accommodation within a women's prison which enables mothers, where appropriate, to have their children with them. Women who are pregnant or who have children under the age of 18 months can apply for a place in an MBU.

MBU applications are considered by a multi-disciplinary Admissions Board and consist of an MBU Manager, Community Offender Manager; and having input from the Local Authority Children's Services. There are mandatory requirements for MBU Boards, this includes that Boards are heard by an Independent Chair. The Board 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, with the best interests of the child being 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.

MBU data are collected from prison establishments by means of a monthly return submitted via the HMPPS Performance Hub: a secure web-based data collection and management information reporting system. Although care is taken when processing and analysing the returns, the detail collected is subject to the inaccuracies inherent in any large-scale recording system.

Pregnant Prisoners

Pregnancy data is captured and collated locally by prisons who submit weekly returns to the Women's Group. The data collection includes the number of self-declared pregnant women in custody and the number of births.

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.

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 and are therefore not specifically included in prison management information systems.

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 known within prison to be currently living in, or are presenting in, a gender different to their sex assigned at birth and who have had a local case board (as defined by ‘The Care and Management of Individuals who are Transgender’ policy framework³).

Those completing the returns were asked to exclude prisoners with GRCs from their data. This is because the Gender Recognition Act 2004 makes it a criminal offence to disclose that someone holds a GRC unless a relevant exemption within the Act applies. A count of the number of prisoners with a GRC was collected for the first time in 2021. The Gender Recognition Act 2004 makes it an offence to disclose that someone has a GRC, so it was

³ This replaced PSI 17/2016 – The Care and Management of Transgender Offenders in August 2019.

necessary to ensure that prisoners' anonymity was maintained. Therefore, no information on the prisoners' other personal characteristics was collected, only the total number of these prisoners. Statistics on the number of all applications to the Gender Recognition Panel are published in Tribunal Statistics Quarterly at www.gov.uk/government/collections/tribunals-statistics.

The figures are an estimate of the number of transgender prisoners and are likely to underestimate the true number. There might be some transgender prisoners who have not declared that they are transgender or had a local transgender case board, and some who have a Gender Recognition Certificate.