



Ministry
of Justice

Story of the Prison Population 1993 – 2020

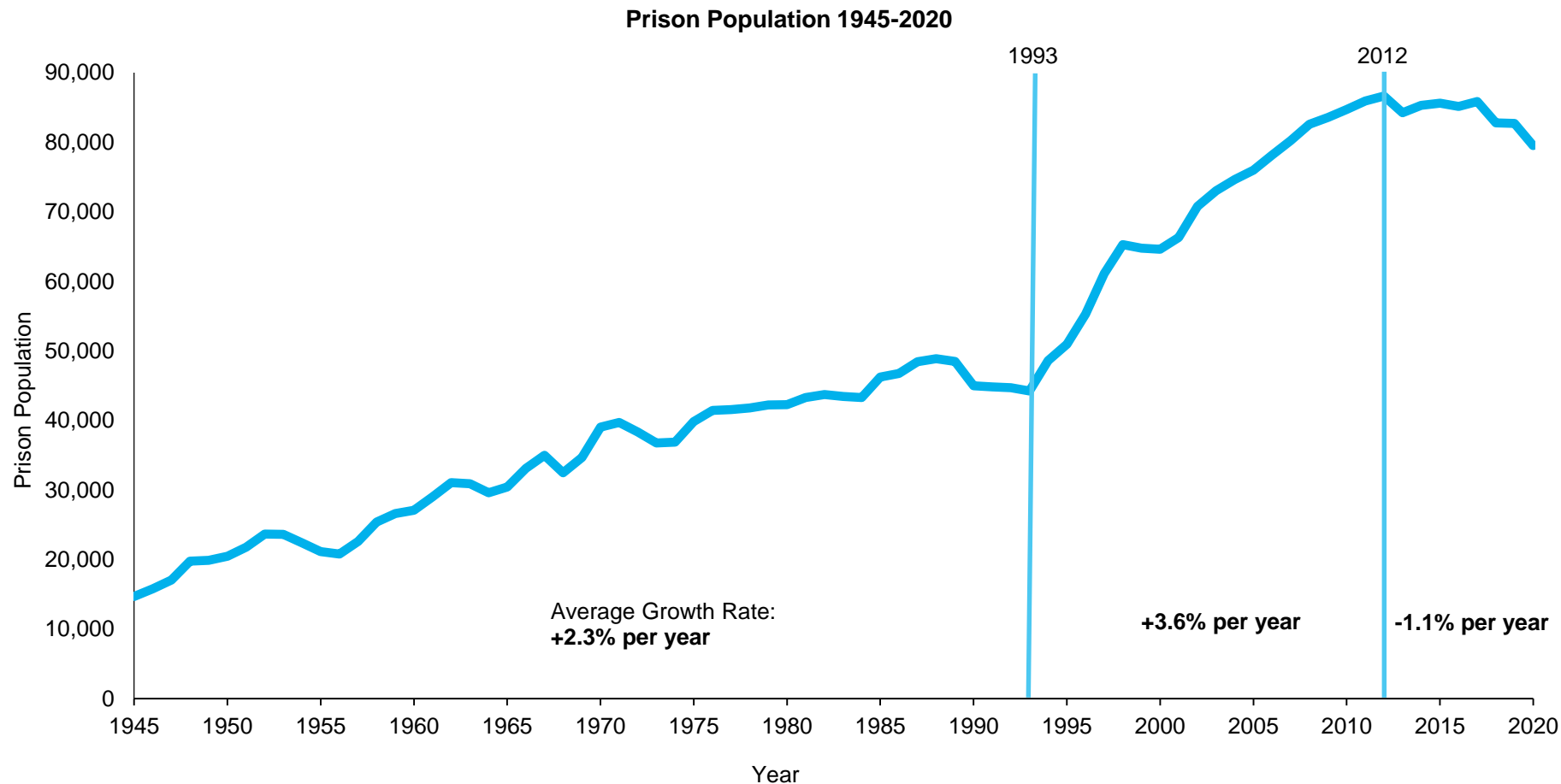
England & Wales

October 2020

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Since 1945, the prison population has risen by almost 65,000

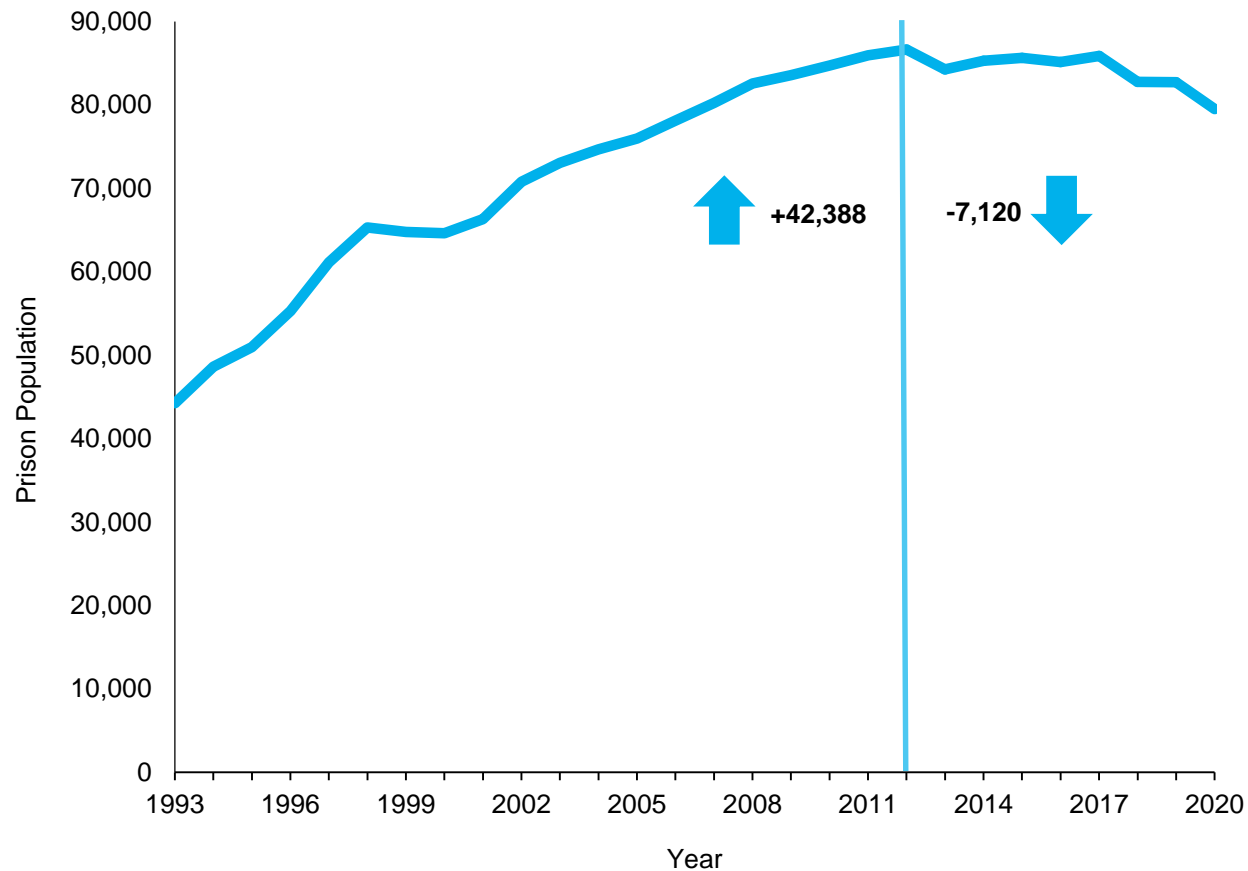


Key points

- The prison population peaked in 2012, at almost 87,000
- Since 2012 there has been a decrease, particularly since 2017
- In 2020 the population was at its lowest since 2006

The prison population doubled between 1993 and 2012 - since then it has stabilised and even begun to drop

Prison Population 1993-2020



Why did the population increase?

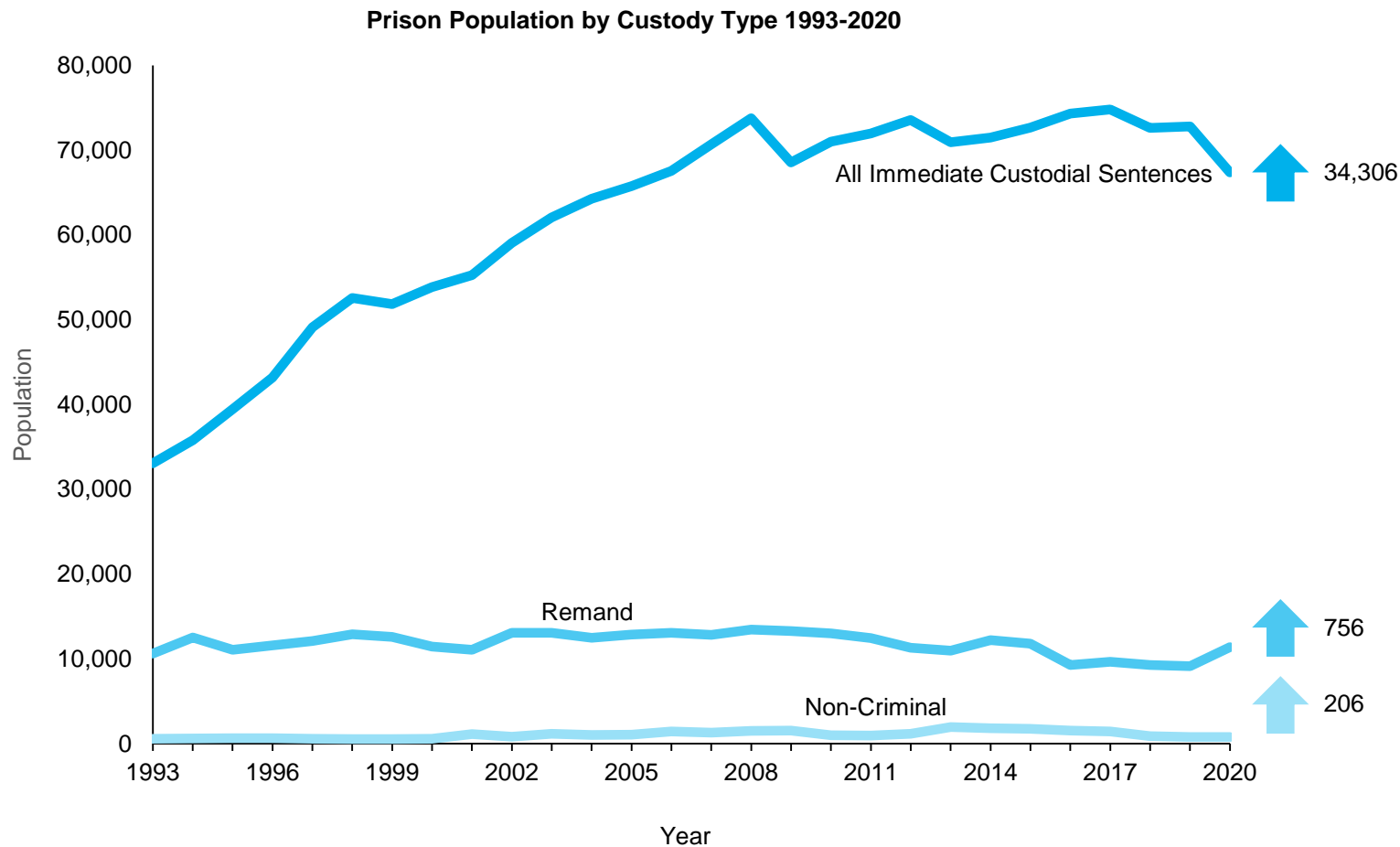
- A significant rise in Immediate Custodial Sentences
- Increase of more serious crimes which carry longer sentences
- Increase in time served
- Legislative changes made recall process simpler
- As sentences have grown longer, offenders spend longer on licence after release - this drove an increase in recall

Why has the population stabilised and begun to fall?

- Decrease of prisoners serving sentences of 4 years or less
- Drop in number of indeterminate sentenced prisoners
- Introduction of fixed term recall
- Legislative changes increased population on Home Detention Curfew (HDC)¹
- COVID-19 impact on court processes
- COVID-19 temporary release scheme

1. HDC is a scheme under which some offenders can be released from prison early – provided they have a suitable address to go to, follow curfew rules, and wear an electronic tag. Eligibility for the scheme depends on sentence length, current and previous offences, and behaviour during current and previous sentences.

Immediate Custodial Sentences account for most of the increase of the prison population between 1993 and 2020



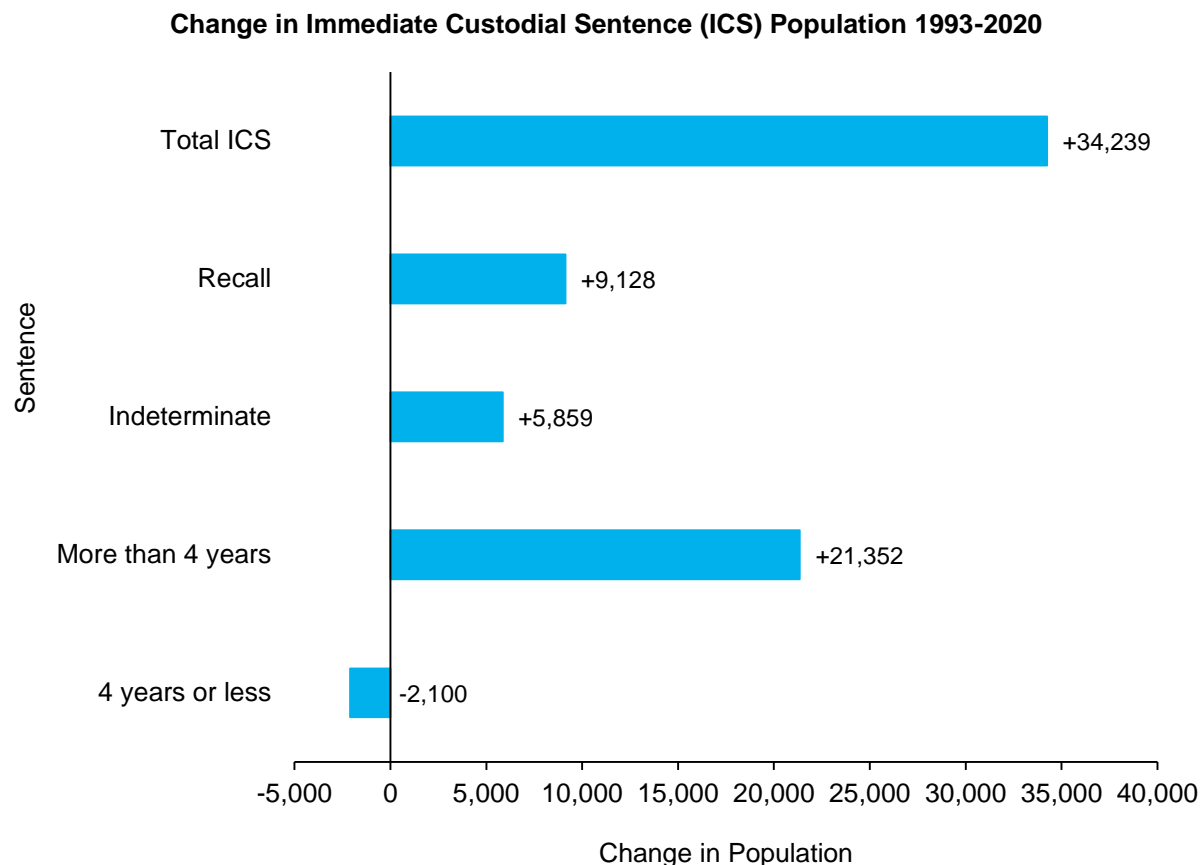
Virtually all of the prison population increase since 1993 has been due to the increased number of prisoners sentenced to immediate custody. Between 2019 and 2020, this population dropped significantly – some of this change can be attributed to the effects of the COVID-19 pandemic². Inflow into prisons through the courts declined following the suspension of Magistrate Court hearings and Crown Court trials, while usual outflow continued as prisoners completed sentences. Furthermore, 193 prisoners had been released by the end of June 2020 through the COVID-19 temporary release scheme.

Prisoners held on remand are either awaiting trial, or have been convicted but not yet sentenced. Overall there has been little change in this population since 1993. As with the recent decrease of the immediate custodial sentence population, the recent increase in the remand population resulted from the COVID-19 pandemic slowing down court processes, which meant those on remand were not being convicted or acquitted at the usual rate.

Non-Criminal prisoners includes those convicted of civil offences, and immigration detainees. This population has consistently accounted for only a small proportion of the overall prison population.

2. Links to further information regarding the impact of COVID-19 are included at the end of this publication.

Determinate sentences of more than 4 years increased by over 20,000 between 1993 and 2020



Recall figures for 1993 and 1994 are estimates.

For clarity, individual bars for 'fine defaulters' and 'sentence length not recorded' have not been included in the chart as they are very small numbers (-520 and 489, respectively), however they are included in the bar for 'Total ICS'.

More longer sentences & fewer shorter sentences

Around two-thirds of the ICS increase was in the population serving sentences of more than 4 years, as there has been an overall shift in offences committed towards more serious crimes which carry longer sentences. This shift has also meant there has been a fall in the population serving sentences of 4 years or less.

Recall

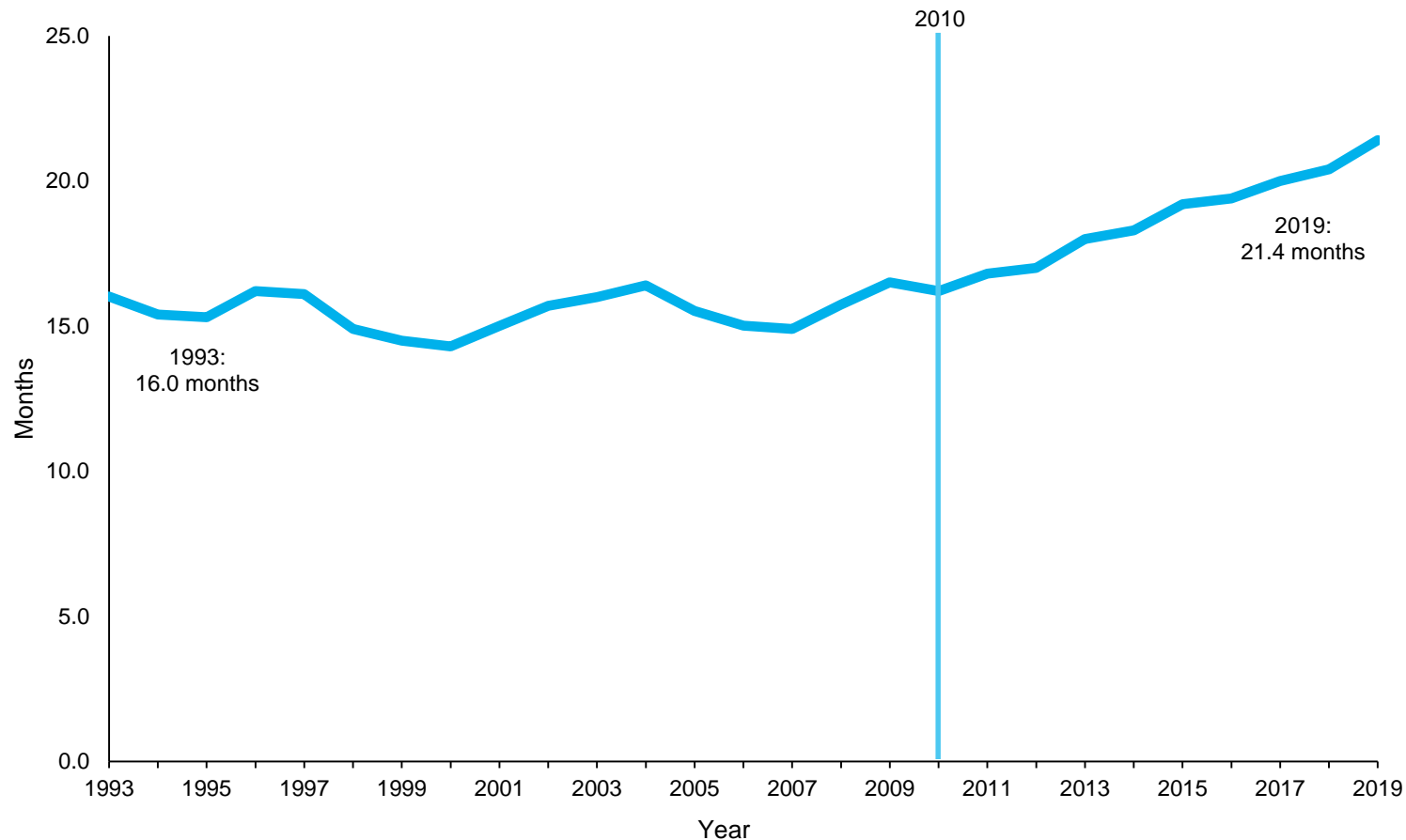
Prisoners serving recall sentences have been returned to prison after breaking the terms of their release licence conditions. More prisoners are serving longer sentences, which have longer licence periods and therefore an increased timespan during which such offenders may be recalled to prison.

Indeterminate

Indeterminate sentences include all types of life sentences, as well as Imprisonment for Public Protection sentences.

Determinate sentence lengths have increased by 5.4 months on average since 1993

Average Custodial Sentence Length (ACSL) 1993-2019



The Average Custodial Sentence Length (ACSL) for prisoners sentenced to immediate determinate custody for all indictable offences was relatively stable between 1993 and 2010. During this time ACSL only fluctuated by 2.2 months (a low of 14.3 versus a high of 16.5 months).

However, it has **risen annually since 2010** – increasing by 5.2 months up to 2019.

Why has there been a rise in ACSL since 2010?

- More prisoners have been convicted of serious offences
- Sentences handed down for such crimes have gotten longer
- Extended Determinate Sentences (EDSs)³ were introduced in 2012

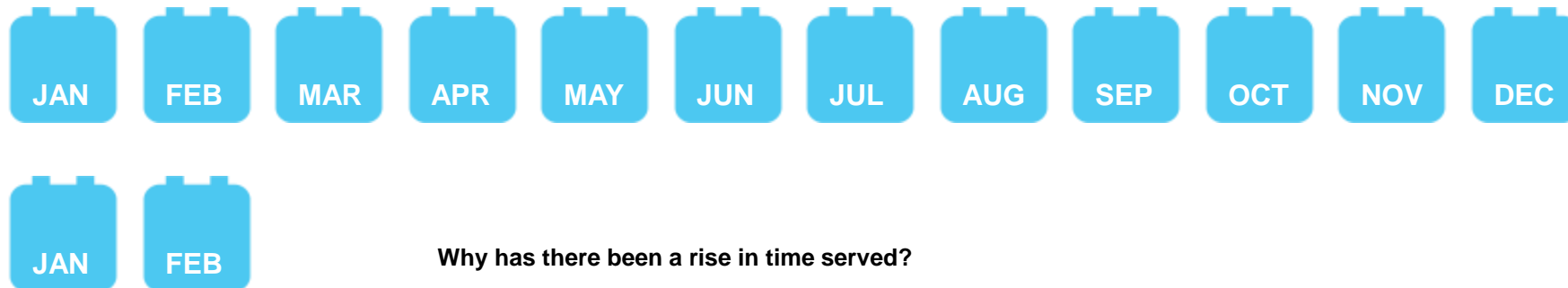
3. EDSs are given to offenders convicted of serious sexual and violent offences; they consist of a period in custody plus an extended period on licence. Unlike Imprisonment for Public Protection sentences, EDSs are determinate sentences and so are included in the calculation of ACSL. Further information on both of these sentences is included later in this publication.

Prisoners released in 2019 spent 5.6 months longer in prison than those released in 1999

In 1999⁴, determinate sentenced prisoners had served an average of **8.1 months** (including time on remand and recall⁵) by time of release...



...by 2019, the average time served had risen to **13.7 months**



Why has there been a rise in time served?

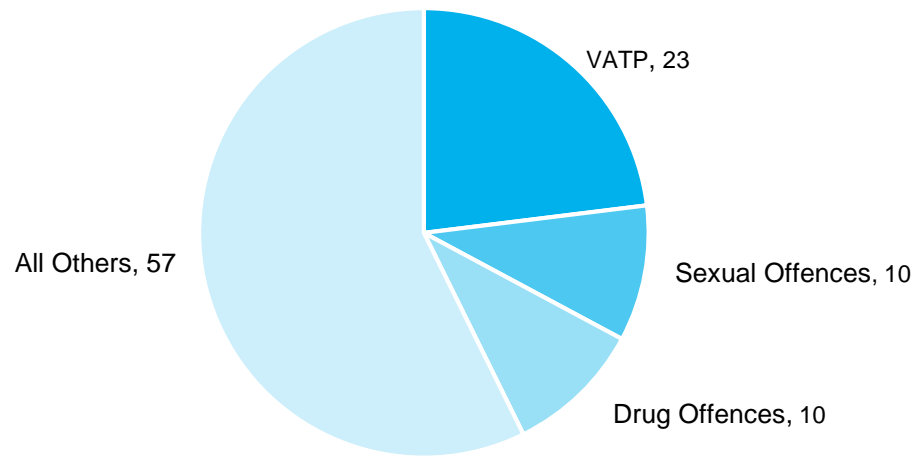
- Increase in length of sentences handed down (ACSL)
- Increase in population serving Extended Determinate Sentences (EDSs)

4. Figures for average time spent in prison were not available prior to 1999.

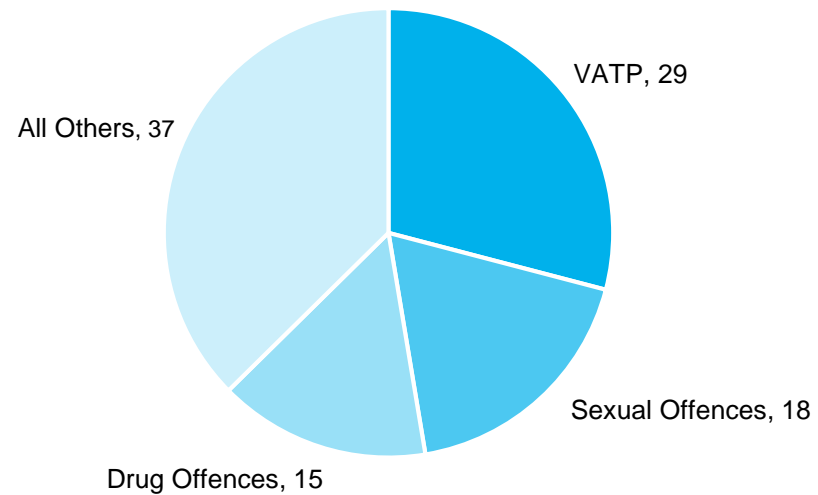
5. The time served including remand is calculated as the difference between the date of initial entry to prison and the date of release. For those offenders that are recalled to custody, the date of entry is taken to be the date of initial entry for the original set of offences committed and not the date in which the offender returned to custody for the breach of their licence. Therefore, for prisoners that have been recalled to custody, the time served measurement will include a period where the offender was actually on licence in the community instead of in prison custody.

By 2020, two thirds of prisoners serving immediate custodial sentences had committed violent, sexual, or drug offences

Prisoners under ICS 1993 (%)



Prisoners under ICS 2020 (%)

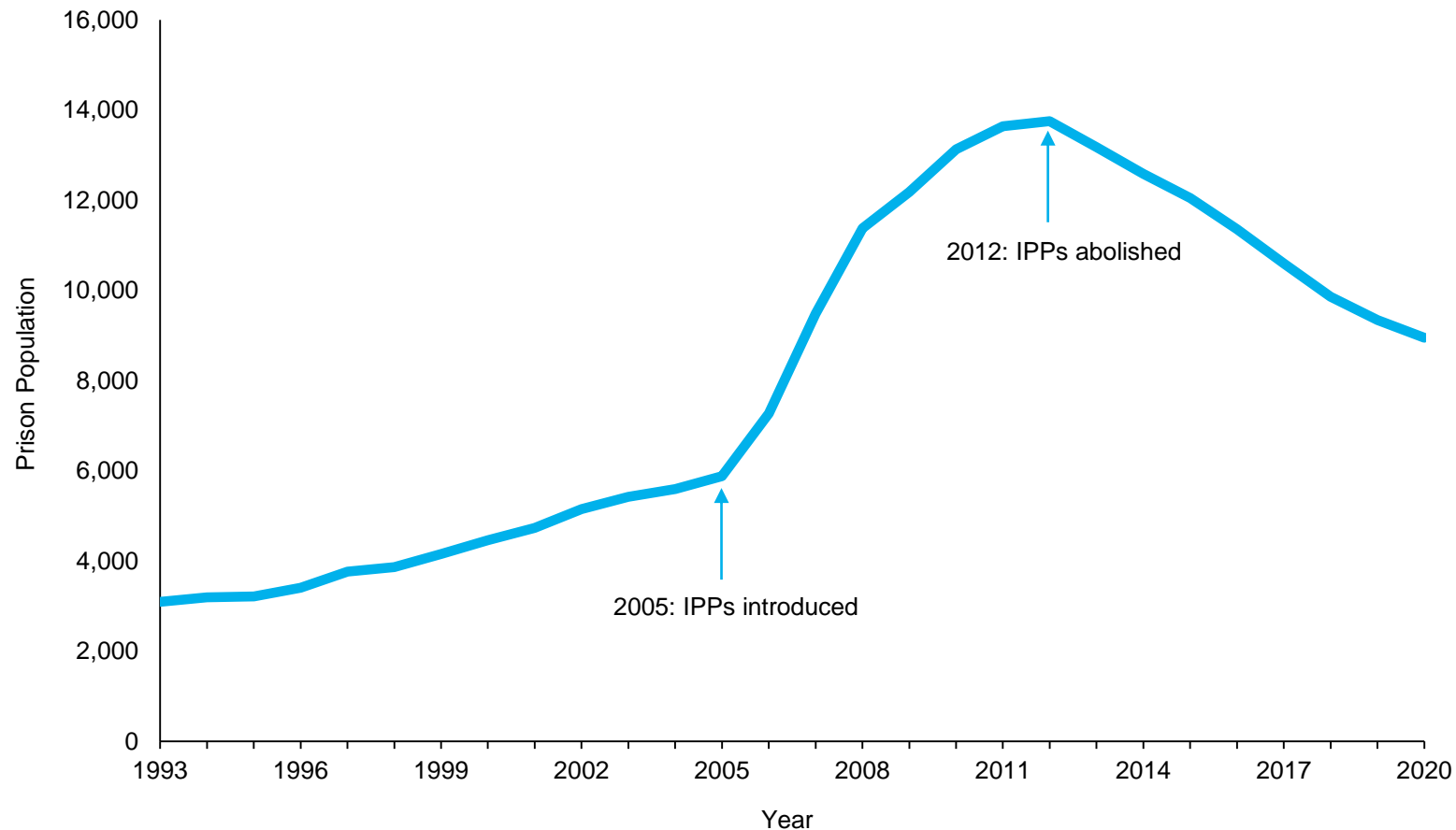


Together, these 3 offence groups accounted for around **2 in 5** prisoners under ICS in 1993; by 2020 this had risen to around **3 in 5** (32,500 up to 67,326).

As these are among the offences which carry the longest sentences, this has helped to drive the increase of ACSL and the number of prisoners given sentences longer than 4 years.

Imprisonment for Public Protection sentences had a significant impact on the population serving indeterminate sentences

All Indeterminate Sentences 1993-2020



Imprisonment for Public Protection (IPP) sentences were introduced by the Criminal Justice Act 2003, and first handed down in 2005.

IPPs were intended to protect the public from dangerous violent and sexual offenders whose crimes, while serious, did not warrant a life sentence.

IPPs consist of a tariff period determined by the seriousness of the crime, followed by an indeterminate period which would be completed once the Parole Board was satisfied that an offender no longer posed a risk to the public.

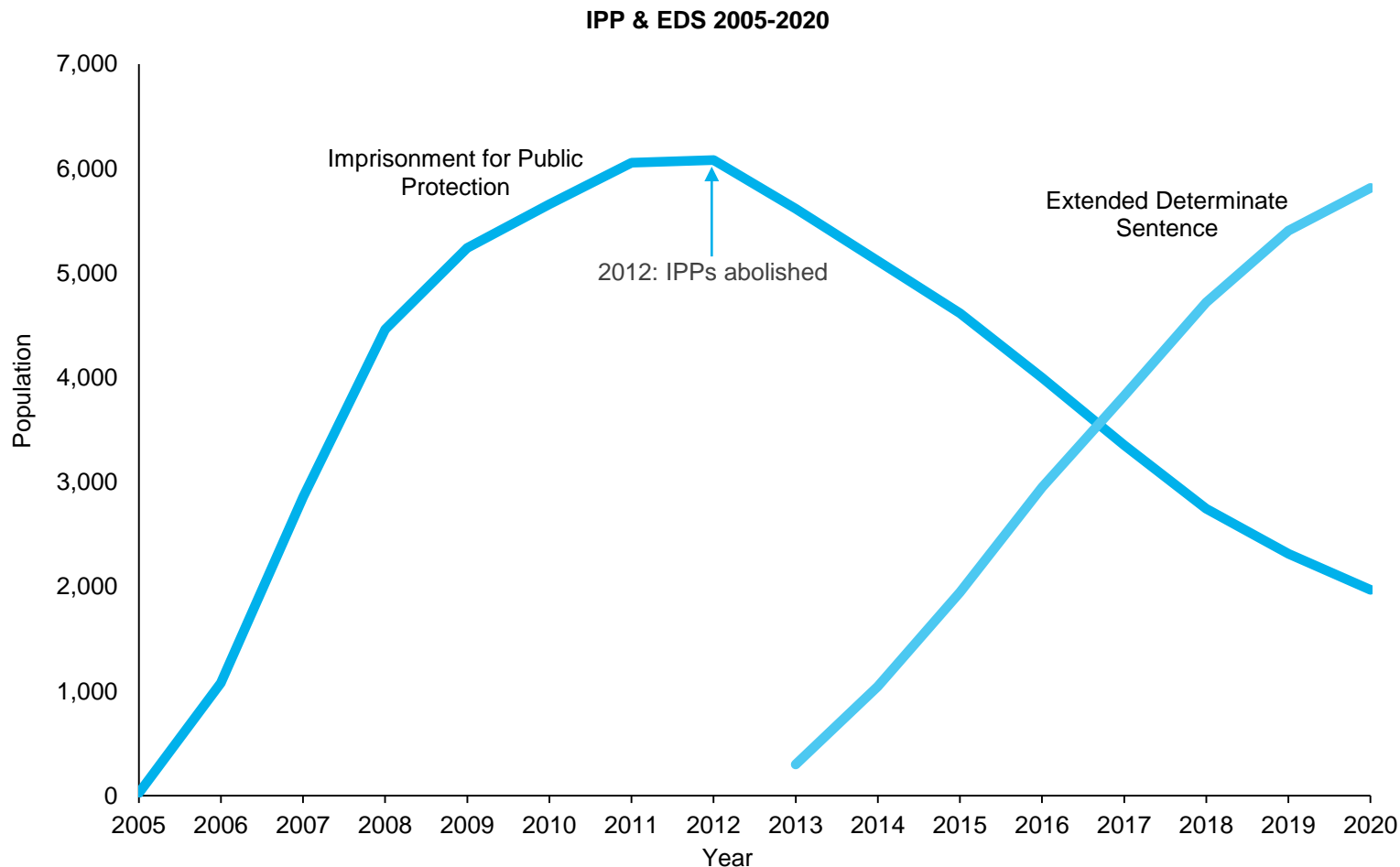
They were abolished in 2012; however prisoners already serving IPP sentences have continued to do so.

What was the effect of IPPs on the indeterminate sentenced population?

Of the increase in indeterminate sentences between 2005 and 2012, **77%** was due to the rise in IPPs.

The subsequent decrease in indeterminate sentences between 2012 and 2020 was also largely due to the change in the IPP population, which accounted for **86%** of the drop.

Since Extended Determinate Sentences were introduced in 2015, the number of prisoners serving such sentences has trebled



When IPPs were abolished in 2012, there were 6080 prisoners serving such sentences; by June 2020, this number had dropped to 1,969.

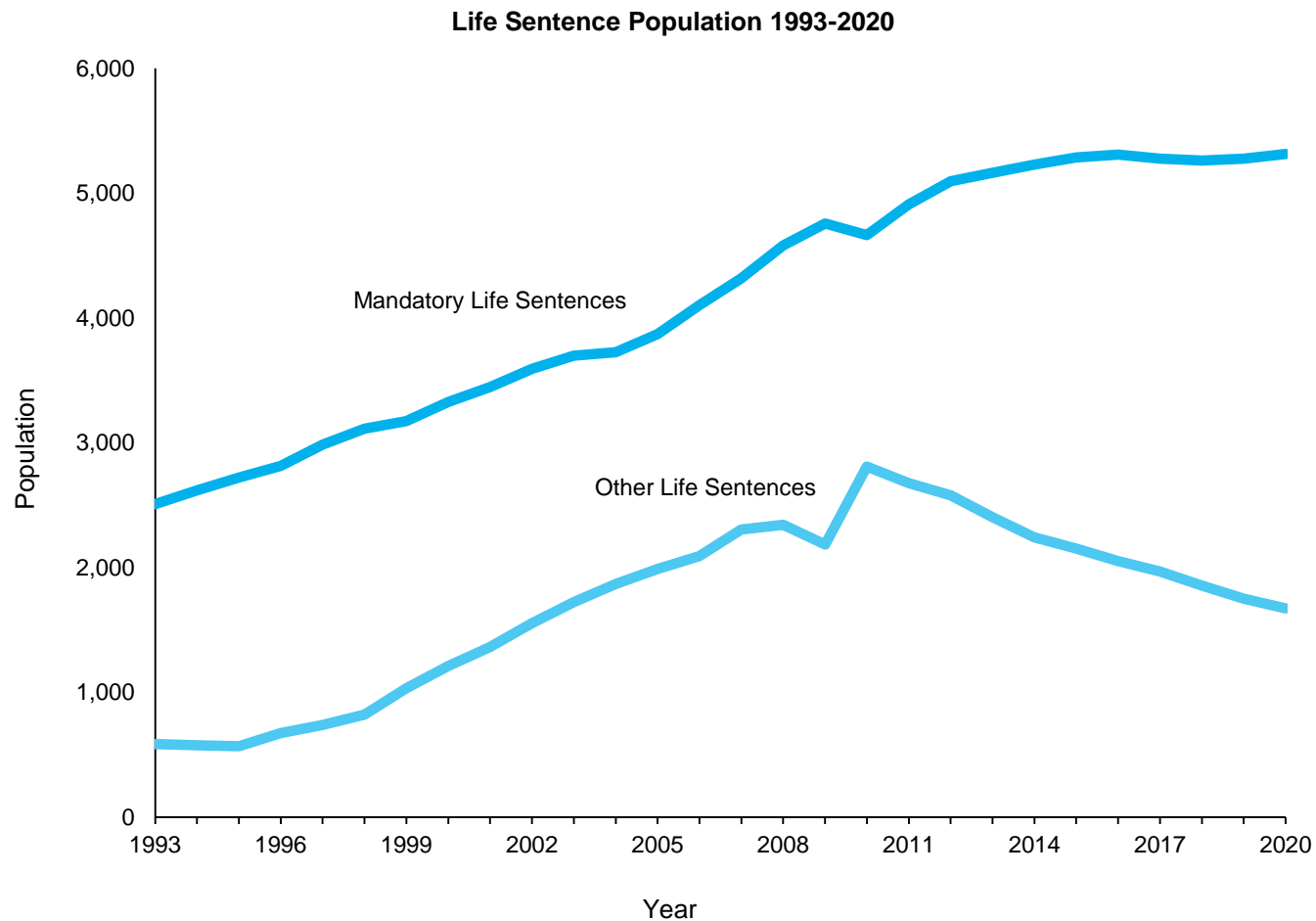
Extended Determinate Sentences (EDSs) have been used since December 2012⁶. They are handed down to those convicted of serious violent or sexual offences, and consist of a period in custody plus an extended period on licence.

Prisoners serving an EDS are not eligible for release halfway through their sentence; they must serve at least two-thirds, and may remain in prison until their sentence is fully completed.

By 2020, 5,815 prisoners were serving EDSs, accounting for roughly **1 in every 6** prisoners serving sentences of more than 4 years.

6. The EDS line on the chart begins in 2013 because although EDSs were introduced in 2012, it was not until December and the data plotted on the chart is at 30 June each year.

The population serving mandatory life sentences has doubled since 1993



Offenders given a life sentence of any type will be subject to that sentence for the rest of their lives, whether they remain in custody or are paroled. Prisoners given a life sentence must serve a minimum term, and then if the Parole Board decides a prisoner is no longer a threat to the public, they will be released, but remain on licence for the rest of their lives.

Mandatory life sentences

- Handed down to all prisoners found guilty of murder
- Whole life orders are a type of mandatory life sentence and are handed down for the most serious cases of murder. Prisoners given such sentences will never be released from prison.

Other life sentences

- Discretionary life sentences may be handed down for crimes such as rape and armed robbery, which have a maximum sentence of life imprisonment. Whether offenders receive a life sentence is determined on a case by case basis by the court, taking into consideration the seriousness of the offence, and the level of risk to the public.
- Automatic life sentences are given to those convicted of a second serious sexual or violent offence

The decline in the population serving other life sentences since 2010 is likely due to the introduction of other sentencing options available for judges to hand down to those convicted of serious crimes – first IPPs, then EDSs.

Recalls: why and how offenders can be returned to prison

Prisoners released on licence to complete their sentence under community supervision who do not follow the terms of their release can be recalled to prison immediately.

Standard licence terms include: maintaining good behaviour, keeping in touch with and receiving visits from the supervising officer, living permanently at an approved address, and not undertaking work, or travel abroad without the supervising officers approval.

Additional terms may also be added to a licence, such as a curfew arrangement or participation in a programme.

As sentences have increased in length, so too have the related licence periods. This means that offenders are susceptible to being recalled for longer, and if they are recalled, will serve a longer recall sentence (unless they are given a Fixed-Term Recall).

Along with a number of legislative changes, this has led to considerable growth of the recall population. In 1993, the recall population was estimated to be less than 100 – by 2020 it had increased to **over 9,000**.

Fixed-Term Recalls (FTR)

Introduced by the Criminal Justice and Immigration Act 2008 for offenders serving determinate sentences. A parole board does not need to review such cases: on completion of such recalls, prisoners are released again, on probation and licence, until the end of their sentence. The duration of a fixed-term recall depends on the length of the original sentence:

- 14 days for sentences of less than 12 months
- 28 days for sentences of 12 months or more

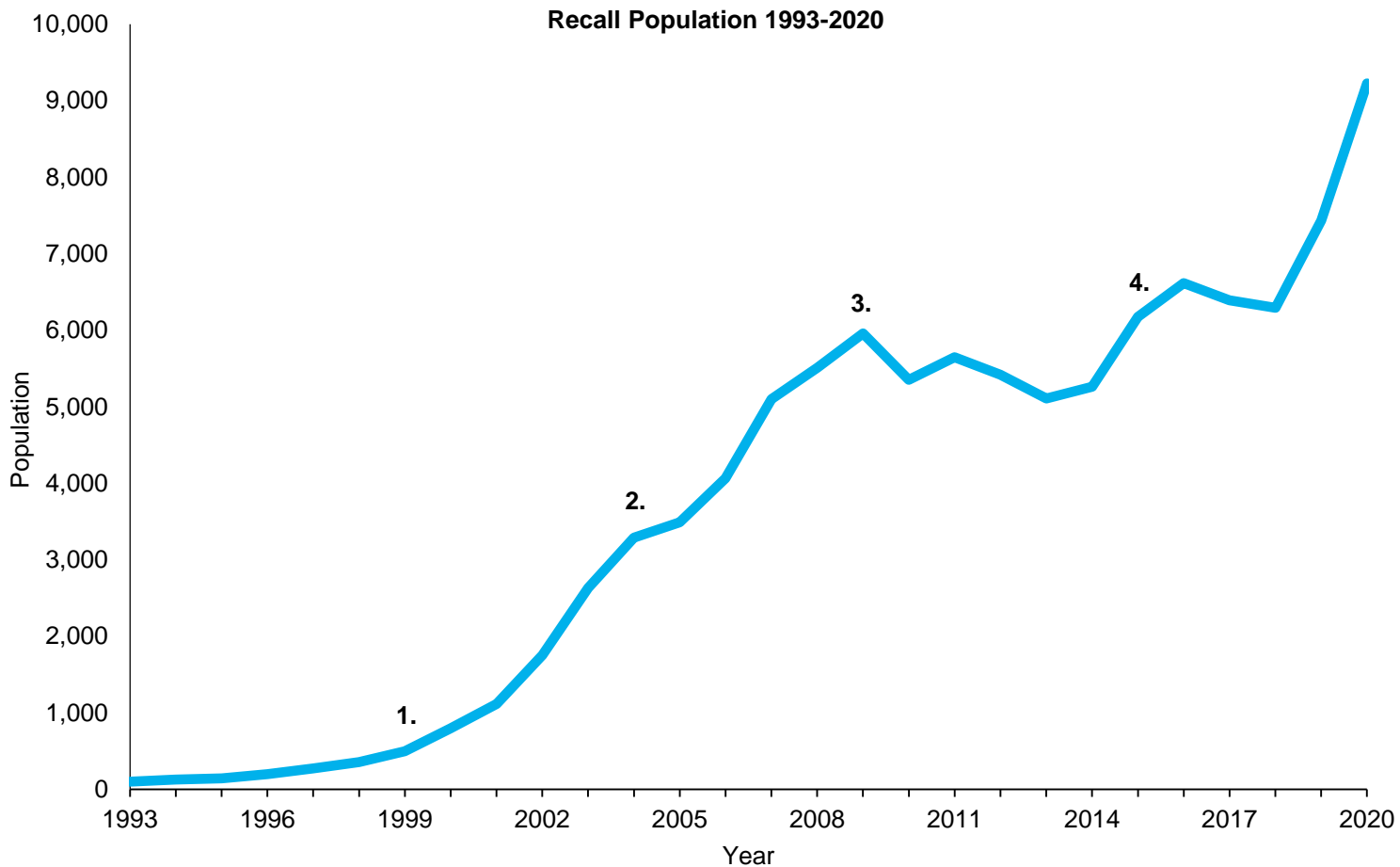
Standard Recall

Prisoners who had been released from determinate sentences are recalled until their sentence has been completed – unless a parole board or the Secretary of State for Justice decides otherwise. Such prisoners will have their case automatically sent to a parole board after 28 days.

Indeterminate Sentence Recall

Cases sent to a parole board either 28 days after return to prison, or within 12 months of last parole board review

The recall population has continued to grow even as the overall population has fallen



Recall figures for 1993 and 1994 are estimates.

While the overall prison population has been decreasing since 2012, in the same time span, the recall population has increased by almost 4000.

Legislative changes that have impacted on recall numbers:

1. Crime & Disorder Act (1998)

- Prisoners serving determinate sentences of 12 months to 4 years were made eligible for executive recall, meaning they can be recalled without the need to return to court

2. Criminal Justice Act (2003)

- Increased the time that prisoners serving determinate sentences of 12 months or more would remain on licence - from the three quarter point of their sentence until the very end
- Increased the time recalled prisoners would be liable to complete serving – from 75 % of their original custodial sentence to 100%
- Decreased the chances of recalled prisoners being re-released by requiring all recall cases to be reviewed by the Parole Board

3. Criminal Justice & Immigration Act (2008)

- Introduced Fixed Term Recall

4. Offender Rehabilitation Act (2014)

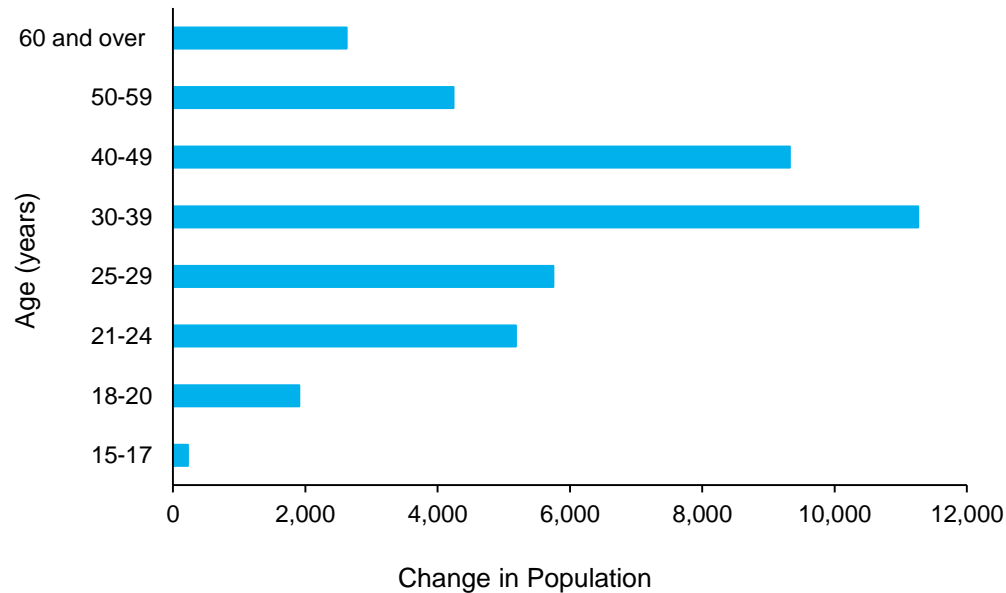
- Expanded the cohort of prisoners who would receive at least 12 months of community supervision to include those given custodial sentences of less than 12 months

Changes in different age groups of the prison population have varied considerably

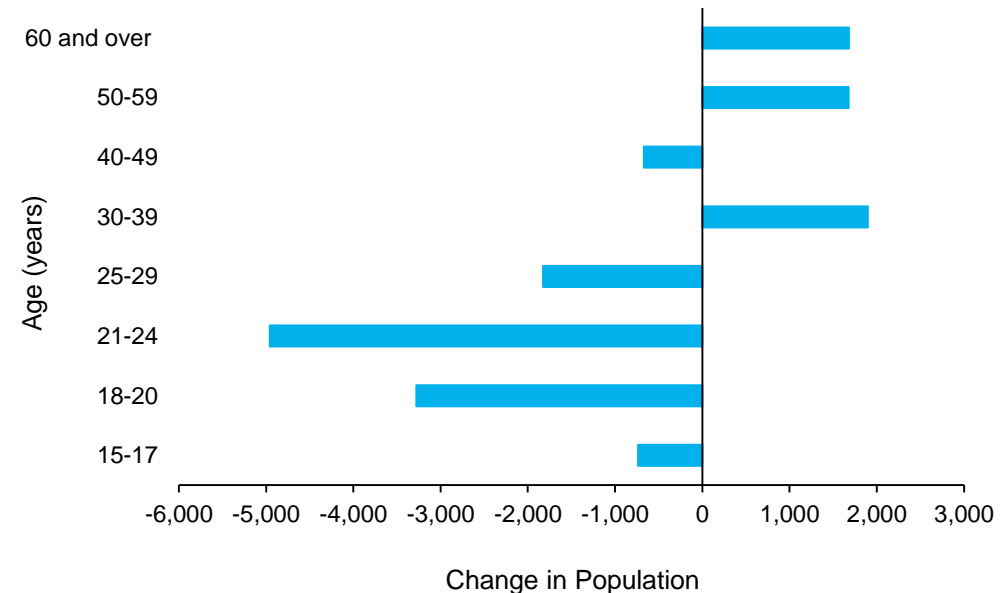
The increase in the prison population between 1993 and 2012 was not equally divided amongst age groups – most of the increase was among 30-39, and 40-49 year olds. The smallest increases were seen in the youngest prisoners.

Since the overall population began to fall from 2012, the largest decreases have been seen in younger prisoners. Contrary to the overall trend, several age groups have continued to grow in population between 2012 and 2020 – one such group being 30-39 year olds, which is the group which grew the most between 1993 and 2012. Notably, the other age groups which have continued to increase are the oldest, prisoners aged 50 plus.

Change in Age of Sentenced Population 1993-2012

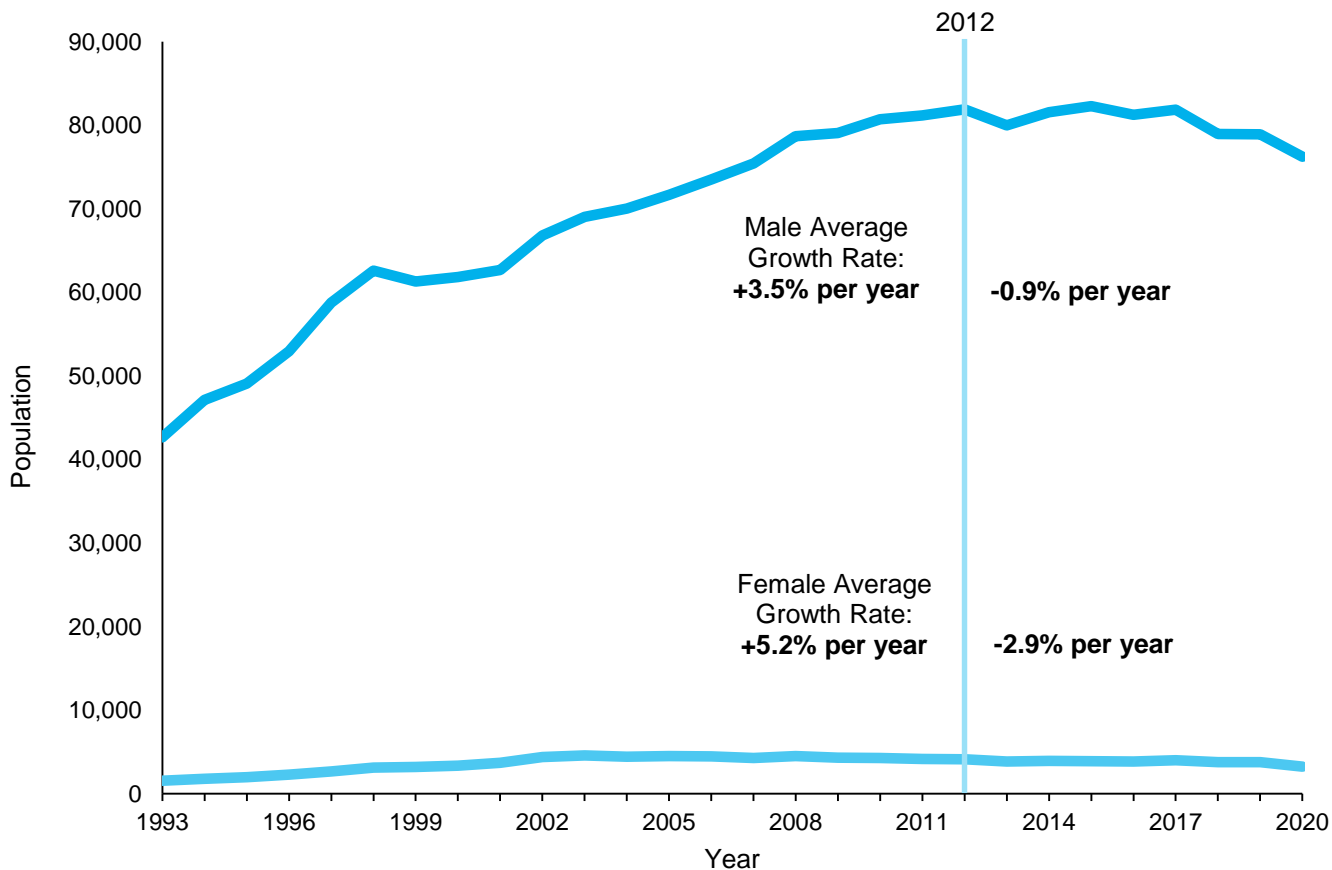


Change in Age of Sentenced Population 2012-2020



Changes in the prison population by sex

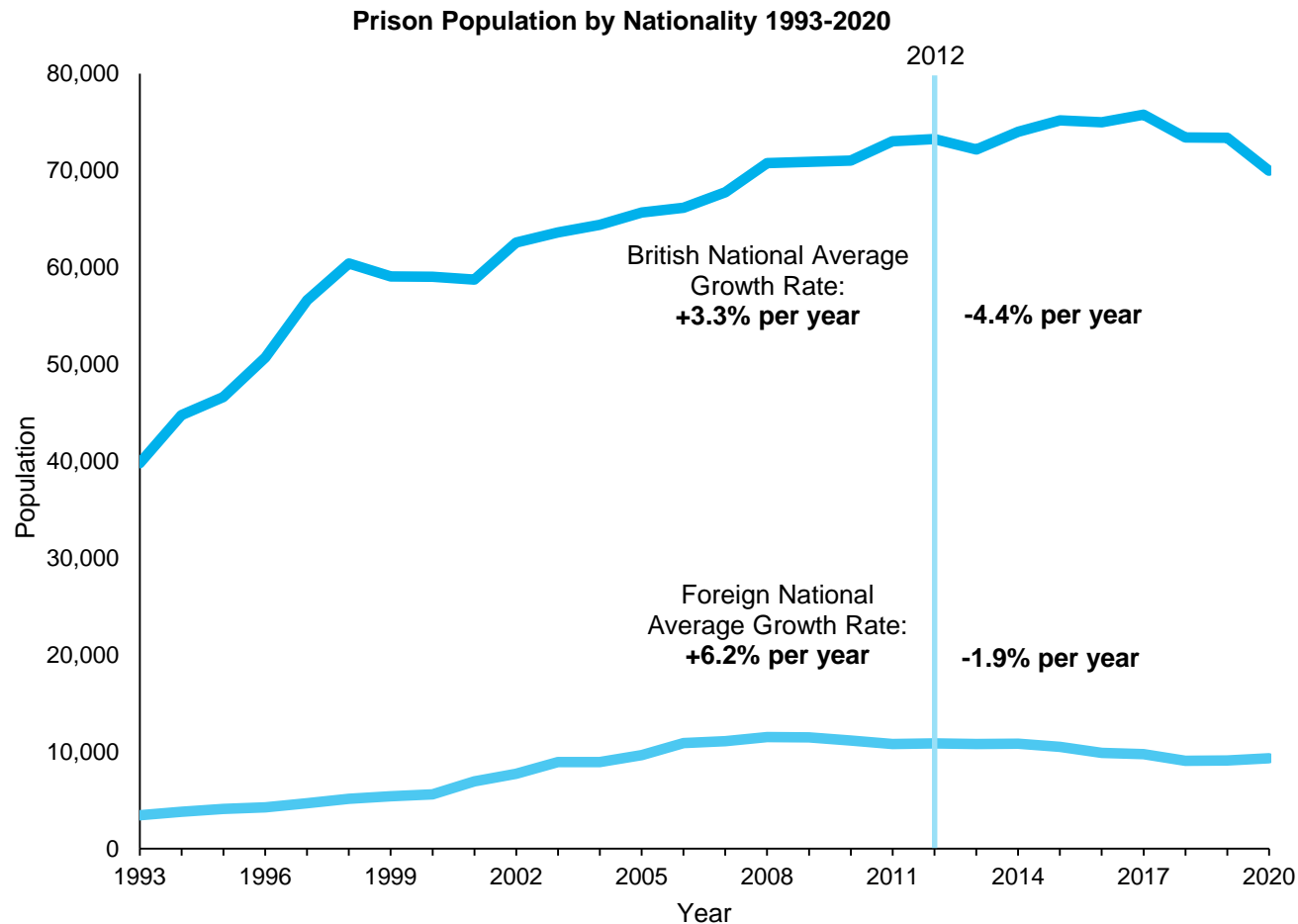
Prison Population by Sex 1993-2020



The vast majority of the prisoners are male, with only a small female population.

The proportion of male and female prisoners has changed little in the years since 1993 (varied by around 3 percentage points) – however, the average annual growth rates of the male and female prison population do demonstrate differences between the sexes. Since the overall prison population began to decline in 2012, the female population has decreased in size more quickly than the male population.

Changes in the prison population by nationality



Among the prison population, the predominant nationality is British, with a lower representation of Foreign Nationals.

Both the British and Foreign National Offender (FNO) population have been decreasing since 2012, with the British population declining more rapidly.

Contrasting with this overall falling trend since 2012, between 2019 and 2020 there was a small rise (2.5%) in the FNO population which can be attributed to the effects of COVID-19. The pandemic has disrupted the normal FNO removal processes due to country lockdowns, reduced flight availability, and reduced Consulate services at foreign embassies.

Further Information and Enquiries

Related Publications

The Ministry of Justice publish statistics covering a wide range of themes. The full list of topics (with links) covered can be found here:

<https://www.gov.uk/government/organisations/ministry-of-justice/about/statistics>

Particularly relevant to this publication are the “Prison and Probation” statistics.

- Offender Management Statistics Quarterly (OMSQ) releases can be found here: <https://www.gov.uk/government/collections/offender-management-statistics-quarterly>
- The previous “Story of the Prison Population”, which covered 1993-2016, can be found here: <https://www.gov.uk/government/statistics/story-of-the-prison-population-1993-to-2016>

For further information regarding the **impact of COVID-19** on the prison population see: <https://www.gov.uk/government/statistics/criminal-court-statistics-quarterly-april-to-june-2020>

Contact

Press enquiries should be directed to the Ministry of Justice Press Office. Relevant contact details can be found here:

<https://www.gov.uk/government/organisations/ministry-of-justice/about/media-enquiries>

Other enquiries about the statistics in this publication should be directed to:

statistics.enquiries@justice.gov.uk

Further information about the UK Statistical System can be found here:

<https://www.statisticsauthority.gov.uk/>