

What would be the impact on the prison population if violent offenders served the full term of their prison sentences in custody?

S Hadjipavlou

August 2019

Top points

- Those receiving fixed term custodial sentences will generally serve 50% of the sentence in custody and the rest on licence in the community.
- Boris Johnson has advocated(%) a policy that those committing violent offences should serve the full sentence period in custody.
- This can be expected to increase the size of the prison population, but by how much? The increase in the prison population will reflect one of the added costs of such a policy. It is not clear what benefits are expected from such a shift from current practice – presumably added deterrence to violent acts)? And over what time scales might such benefits arise?
- In the interests of criminal justice policy being developed on the basis of evidence and analysis, we have produced forecasts of the prison population. The forecasts are generated from the Justice Episteme criminal justice model (www.justice-episteme.com) and cover a number of alternative ways that such a policy could potentially be introduced. We have made no assessment of benefits, but generally the evidence shows that the link between punitive sentencing and levels of crime or its deterrence is weak.
- **Conclusion**
- Depending on how the such a policy is implemented, i.e. which offences (violence and sexual offences) and the proportion of time served (100% or 75%), the prison population can be expected, by 2025, to be between 3,000 – 8500 higher than the level that would otherwise obtain 82,600(#), i.e.
 - 82,600 for no change to current policies, and other factors continuing as now
 - 85,600 for a ‘minimal’ interpretation of the policy - violent offenders serving 75% of the sentence in custody
 - 91,100 for a ‘maximal’ interpretation of the policy – violent and sexual offenders serving 100% of the sentence in custody
 - Moreover, the trend beyond 2025 for these scenarios is either to sustain these levels or to increase.
 - The corresponding increases in the overall resource expenditure would be £112.6 m and 319.2m a year(*)

(*) using average overall resource expenditure, £37,543 per prisoner , HM Prison & Probation Service, Annual Report and Accounts 2017-18, Ministry of Justice, Information Release, Published 25 October 2018. There may also be added capital costs in order to create the prison capacity to cope with the increase in numbers.

(#) rounded to nearest 100

(%) <https://converseprisonnews.com/tag/boris-johnson/>

Scenarios

- The analysis considers the following scenarios
 - A. A reference simulation. This represents an estimate of the population assuming no change to sentencing practice, police performance and other factors that have a bearing on the number of offenders sent to prison
 - B. A simulation assuming all violent and sexual offenders serve 100% of their (fixed term) sentence in custody. This represents an estimate of the population assuming that the policy includes both *violence and sexual* offences on the basis that it would be distortive and impractical to exclude sexual offenders from this change. This represents a maximal approach to implementation
 - C. A simulation assuming all violent and sexual offenders serve 100% of their (fixed term) sentence in custody if they are serving 12 months or more. This represents an estimate of the population assuming that the policy includes both *violence and sexual* offences, but limits its scope to more serious offenders, i.e. fixed sentences of 12 months or more
 - D. A simulation assuming all violent and sexual offenders serve 75% of their (fixed term) sentence in custody. This represents an estimate of the population assuming that the policy includes both *violent and sexual* offenders, but limits the time served in custody to 75% of the fixed length prison sentence
 - E. A simulation assuming all violent offenders serve 100% of their (fixed term) sentence in custody. This represents an estimate of the population assuming that the policy is limited to *violence* offences only
 - F. A simulation assuming all violent offenders serve 75% of their (fixed term) sentence in custody. This represents an estimate of the population assuming that the policy is limited to *violence* offences only
- The changes are assumed to come into effect from July 2020.

Results

- Chart A and chart B illustrate the number of male and female prisoners for the various scenarios examined. The projections extend to 2040 but more caution should be exercised the further into the future one looks. The overall forward look is provided to give a sense of the future trajectory, and how the gap with respect to the reference scenario would be expected to vary.
- The comparison with the published prison numbers for the years leading to 2019 is quite good and gives reassurance in the projections at least up to 2025
- The simulations for the number of female prisoners(*) are more volatile, owing to the substantially lower numbers. While they show a trend towards increasing numbers there is no meaningful difference between the scenarios. The number of female offenders committing violent or sexual offences is very low (compared to men) and the simulations show that such a policy applied to women offenders will not have a discernible impact on the size of the female prison population.
- Table A summarises the results for the year 2025, 5 years after the introduction of the policies.
- As expected the policy would have a significant impact on the male prison population. It is clear that such a policy, were it to be introduced, and depending on its details, would be expected to increase the male prison population by 3000 to 8500 depending on the variant.

(*) A number of technical and limited evidence reasons make it harder to carry out simulations for female offenders. The 95% confidence interval is typically ± 1900 for the number of male prisoners and ± 340 for the number of female prisoners. The algorithms are kept under review to see how the simulations can be improved

Table A. The impact on the prison population of changing the proportion of *determinate* sentences served in custody for violent and sexual offences – various scenarios

Male Prisoners	Estimated(**) average prison population 2025	Difference	Female Prisoners	Estimated prison population 2025	Difference
No change- current policy is prisoners serve 50% of sentence in custody*	78,945	0	No change- current policy is prisoners serve 50% of sentence in custody*	3670	0
Violent & sexual offenders serve 100% of sentence	87,492	8,547	Violent & sexual offenders serve 100% of sentence	No detectable change	
Violent & sexual offenders sentenced to 12+ months serve 100% of sentence	87,103	8,158			
Violent and sexual offenders serve 75% of sentence	84,101	5,156	Violent and sexual offenders serve 75% of sentence	No detectable change	
Violent offenders serve 100% of sentence	84,100	5,155			
Violent offenders serve 75% of sentence	81,987	3,042			

(**) the 95% confidence interval is typically ± 1900 for the number of male prisoners and ± 340 for the number of female prisoners

(*) with home detention curfew in appropriate cases

CHART A. Estimates of the prison male population for the various scenarios, assessing a policy that violent (and sexual) offenders serve all or the majority of their custodial sentence in prison

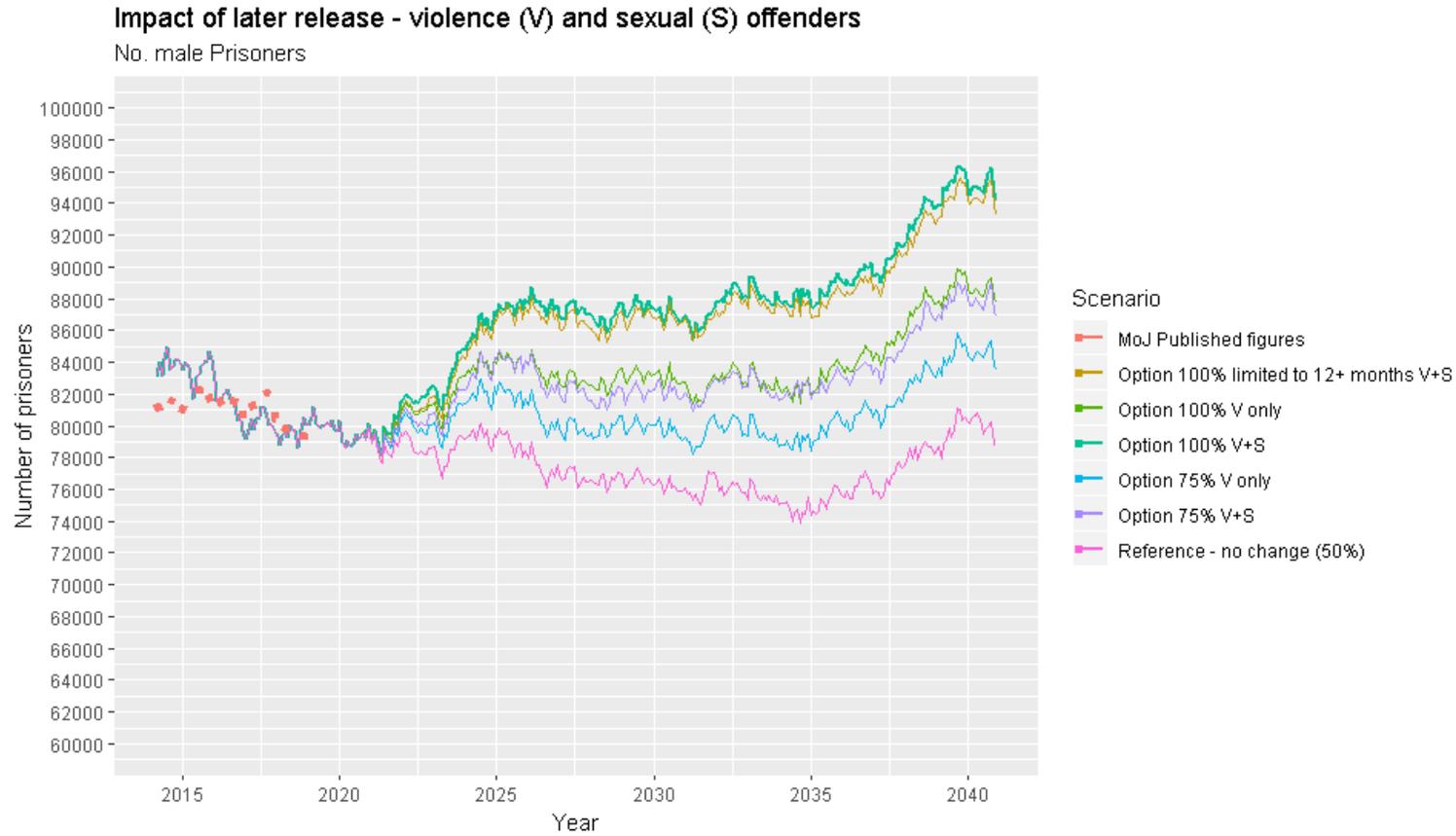


CHART A. Estimates of the prison female population for the various scenarios, assessing a policy that violent (and sexual) offenders serve all or the majority of their custodial sentence in prison

