



Ministry of
JUSTICE

NOMS National Offender
Management Service

Working together to reduce re-offending

End of Custody Licence releases and recalls 1 to 29 February 2008

England and Wales

End of Custody Licence (ECL) releases and recalls

Key points

RDS NOMS and Post Release Section

Introduction to ECL

On 19 June 2007 the then Lord Chancellor announced the introduction of a presumption in favour of release from custody on licence for prisoners serving between 4 weeks and 4 years for the final 18 days of their sentence subject to meeting strict eligibility criteria and providing a release address. The first releases under this scheme occurred on 29 June 2007. Prisoners who would normally be subject to supervision on release (prisoners serving 12 months or more or under 22 years of age) are required to meet their probation officer after release and to have regular contact after that in line with their supervision plan. All prisoners released on ECL are liable to recall if they are reported to have misbehaved during the period of the licence.

ECL releases

- During February 2008 there were 2,458 releases on ECL, similar to the level in January (2,386). The releases consisted of 2,204 males (90 per cent) and 254 females (10 per cent).
- As previously, the large majority of those released were serving sentences of under 12 months (2,026 or 82 per cent), and a majority were serving sentences of less than or equal to 6 months (1,740 or 71 per cent). The remaining 432 (18 per cent) were serving longer sentences.

ECL recalls

- There were 72 decisions to recall offenders to custody during February (as notified to NOMS by end 21 March 2008). The most common reason for recall was for alleged re-offending, which accounted for 31 decisions to recall.
- To date, the large majority (82%) of those recalled following release under ECL have been returned to custody (based on decisions notified to NOMS)

ECL caseload

- At the end of February, it is estimated that the number of offenders under licence as part of the ECL scheme was approximately 1,400 (data rounded to the nearest 50).

Notes

ECL exclusions

Any prisoners falling into the following categories are excluded from release on ECL:

- Registered sex offenders, whether or not they are currently serving a sentence for a sexual offence.
- Prisoners serving sentences for serious violence as specified in Prison Service Instruction 42/2007 (which consolidates and replaces PSI 27/2007) http://psi.hmprisonservice.gov.uk/PSI_2007_42_end_of_custody_licence.doc (this includes offences such as murder, manslaughter, wounding with intent to commit Grievous Bodily Harm, possession of a firearm with intent to endanger life, child cruelty and serious explosives offences).
- Prisoners who have previously escaped from custody.
- Prisoners who have previously breached temporary release conditions during the current sentence, have offended during a period under temporary release at any time, or prisoners currently serving a sentence for failing to return from temporary release.
- Prisoners who report that they do not have a release address.
- Foreign national prisoners who will be subject to deportation at the end of their sentence.
- Prisoners who are subject to extradition proceedings.
- Sentenced prisoners who have been remanded into custody on further charges or who are awaiting sentence.
- Prisoners who, within the period of their current sentence, had been recalled either from HDC or from normal licence.
- Prisoners under the age of 18.
- Prisoners serving Detention and Training Order (DTO) sentences.
- Prisoners required to undertake a treatment programme as a condition of the normal (end of sentence) supervision licence that could not be arranged during the period of ECL or at a time otherwise agreed by the Offender Manager.

Data sources and quality

The data presented in this brief are drawn from the prison administrative IT systems. 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. While the figures shown have been checked as far as practicable, they should be regarded as approximate and not necessarily accurate to the last whole number.

Future Reports

Future reports will be published on a monthly basis on the Ministry of Justice website <http://www.justice.gov.uk/publications/endofcustodylicence.htm>.

Table 1: ECL releases by offence group, sentence length, age, ethnic group, by sex - February 2008 and cumulative total

	Males	Females	Monthly total	Cumulative totals to date
Total ECL releases between 1 and 29 February 2008	2,204	254	2,458 ³	21,041
By offence group				
Violence against the person ¹	426	41	467	3,951
Sexual offences ²	2	0	2	7
Robbery	48	5	53	462
Burglary	181	5	186	1,916
Theft and Handling	469	105	574	4,768
Fraud and Forgery	48	9	57	386
Drug offences	93	12	105	895
Motoring offences	271	8	279	2,598
Other offences	627	65	692	5,691
Offence not recorded	39	4	43	367
By sentence length				
Less than or equal to 6 months	1,533	207	1,740	14,808
Greater than 6 months to less than 12 months	262	24	286	2,393
12 months to less than 4 years	408	23	431	3,837
4 years	1	0	1	3
By age				
18-20	307	18	325	3,022
21-24	478	51	529	4,303
25-29	482	57	539	4,643
30-39	597	83	680	5,787
40-49	259	35	294	2,589
50-59	66	10	76	587
60 and over	15	0	15	110
By ethnic group				
White	1,855	229	2,084	17,932
Mixed	55	6	61	528
Asian or Asian British	130	2	132	959
Black or Black British	148	16	164	1,507
Chinese or Other ethnic group	11	1	12	67
Not stated	3	0	3	34
Unrecorded	2	0	2	8
1991 Census ethnic codes	0	0	0	6

1 Excludes serious violent offences such as murder, manslaughter, wounding with intent to commit Grievous Bodily Harm, possession of a firearm with intent to endanger life, child cruelty and serious explosives offences. A full list of exclusions can be found in Prison Service Instruction 42/2007 (which consolidates and replaces PSI 27/2007).

2 Two male offenders were recorded as serving sentences for a sexual offence. Investigation revealed that both offenders were serving sentences of less than 6 months for minor sexual offences. Neither offender was required to register on release. The releases were therefore correct as the prohibition on sex offenders is against registered sex offenders.

3 NOMS has been notified of two releases in error in addition to those included on previous ECL reports. Both prisoners did not meet the eligibility criteria:

- The first prisoner was serving a sentence of 4 years for drugs-related offences. Prisoners serving sentences of 4 years or more are ineligible for ECL. Once the error was identified the prisoner's ECL licence was revoked and he was returned to prison.
- The second prisoner was serving a sentence of 3 years for theft and handling offences. The prisoner did not meet all the eligibility criteria set out in the Prison Service Instruction and so was released in error. No re-offending was reported during the ECL period for either prisoner.

Data Sources and Quality

These figures have been drawn from administrative IT systems, which, as with any large scale recording system, are subject to possible errors with data entry and processing. See Data Sources and Quality section of report for more information.

**Table 2: ECL releases by discharging establishment
- February 2008 and cumulative total**

Establishment	Releases between 1 and 29 February 2008	Cumulative totals to date
Males		
Acklington	3	95
Altcourse	104	536
Ashwell	17	81
Aylesbury	2	19
Bedford	56	469
Belmarsh	5	50
Birmingham	34	289
Blakenhurst	53	417
Blundeston	0	30
Brinsford	0	21
Bristol	41	298
Brixton	17	160
Brockhill	3	86
Buckley Hall	3	41
Bullingdon	28	208
Bullwood Hall	9	39
Camp Hill	0	22
Canterbury	6	46
Cardiff	25	243
Castington	4	76
Channings Wood	11	105
Chelmsford	0	41
Coldingley	0	2
Cookham Wood	0	14
Dartmoor	8	49
Deerbolt	20	193
Doncaster	76	707
Dorchester	0	36
Durham	28	399
Edmunds Hill	43	285
Elmley	20	185
Erlestoke	8	55
Everthorpe	37	316
Exeter	46	418
Featherstone	4	21
Feltham	1	5
Ford	46	328
Forest Bank	73	305
Garth	0	2
Glen Parva	59	501
Gloucester	11	146
Grendon (Spring Hill)	2	24
Guys Marsh	19	197
Haverigg	35	245
Hewell Grange	20	98
Highdown	35	315
Highpoint	9	100
Hindley	6	49
Hollesley Bay (Warren Hill)	28	201
Holme House	51	314
Hull	19	175
Kennet	11	96
Kirkham	34	383
Kirklevington	0	3
Lancaster	6	72
Lancaster Farms	1	40
Leeds	24	236
Leicester	20	165
Lewes	21	135
Leyhill	26	237
Lincoln	35	199
Lindholme	29	286
Littlehey	0	6
Liverpool	47	447
Maidstone	0	5

**Table 3a: Offenders recalled to prison from ECL and the reasons for recall
- February 2008**

Decisions to recall between 1 February and 29 February 2008 reported to NOMS by end of 21 March 2008

Decisions to recall as notified to NOMS	72
By reason for recall ¹	
Alleged re-offending ²	31
Failure to live at an approved address	26
Out of touch with the probation service	17
Poor behaviour ³	7

Table 3b: ECL recalls and returns to custody - cumulative totals to date

Decisions to recall offenders from ECL, from 29 June 2007 to 29 February 2008

Number of offenders notified as recalled	745 (4% of offenders released on ECL)
Of which as of 21 March 2008	
Number not yet been returned to custody	133
Number who have been returned to custody	612

Table 3c: Alleged Re-offending by Offenders on ECL

The number of alleged offences (by offenders during their period of ECL), as notified to NOMS in February and cumulative totals.

	Number of Offenders ⁴	Alleged further offences
01 February - 29 February	35	43
Total scheme to date	292	410

Footnotes

1 The total of reasons for recall is not the same as the total number of decisions to recall because offenders can be recalled for more than one reason.

2 Alleged re-offending may lead to recall of the offender even though, at the point of the recall, the offender may not have formally been charged.

3 The offender's behaviour indicates an increased risk of reoffending or harm.

4 The number of offenders notified to NOMS as having allegedly reoffended during their period on ECL

Data Sources and Quality

All of the figures above are as notified to NOMS and may therefore be subject to inaccuracies. There may be recalls, reoffending, further offences, offenders returned to custody, and offenders released not in accordance with the scheme, some of which may not have been notified to us.