

# **Scottish Prison Population Statistics 2020-21**

**An Official Statistics Publication for Scotland**

CRIME AND JUSTICE

# Key Findings

## Average Daily Prison Population

Responses to Covid related public health measures across the Justice System had a substantial impact on Scotland's prison population in 2020-21. The average daily prison **population** in 2020-21 was 7,337 – a reduction of around 10% from the previous year (8,200), which directly contrasts the annual population increases occurring between 2017-18 and 2019-20.

While there was an overall population reduction in 2020-21, population levels fluctuated throughout the reporting year. The first three months of 2020-21 saw a rapid and large reduction, with the prison population falling below 7,000 in June 2020. This was followed by a slower increase to September 2020, and thereafter a stabilisation at around 7,500 on average (section 1.1).

Reflecting Covid impacts on the wider justice system, overall reductions in 2020-21 are only observed in the sentenced (-15% to 5,657) and convicted awaiting sentence (-28% to 250) populations. In contrast, the untried population rose by almost 18% to 1,384 in 2020-21 (+208 from 2019-20). Combined, these changes have shifted the balance between **legal statuses** (remand and sentenced) in the prison population. In 2020-21, 22% of the prison population were held on remand on an average day – the largest proportion ever recorded.

The number of **women** in prison on an average day in 2020-21 fell more than the population of men in prison in the same period. While the average daily population of men fell 10% between 2019-20 and 2020-21 (from 7,793 to 7,037), the women's population fell 26% (from 402 to 300) (section 1.3). Both the women's sentenced and convicted awaiting sentence populations fell in 2020-21, but in contrast to the overall trend the women's untried population remained at the same level as in 2019-20 (67 in both reporting years).

Similarly the population of **young people** under 21 in custody also fell by a greater amount than the overall population, reducing by around one third between 2019-20 and 2020-21 (from 325 to 216). The fall in this group occurred in the sentenced and convicted awaiting sentence populations, with the untried population increasing by a small amount (+6 from 2019-20 to 2020-21).

The 15% reduction in the overall average daily **sentenced** population was not equal across the different **index offence** groups. There were greater reductions in the populations with index offences in Group 3 'Dishonesty', Group 5 'Other crimes' and Group 6 'Miscellaneous offences' (35%, 23% and 21% respectively) than in the populations with index offences in Groups 1 and 2 (9% and 2.8% respectively), the most serious violent and sexual offences. Therefore, those with index offences in Group 1 or 2 accounted for a greater share of the sentenced population in 2020-21 than in 2019-20 – almost 60% compared to around 55%.

The extent of reduction in the sentenced population also varied by **index sentence** group. During 2020-21, the average daily population serving an index sentence of 4 years or less reduced by between 14% and 35% across the different sentence bandings. On the other hand, the populations serving longer and indeterminate index sentences remained largely stable between 2019-20 and 2020-21.

While the overall (average daily) **remand** population rose by 7% from 2019-20 to 2020-21, this increase was not spread uniformly across all index offence<sup>1</sup> groups. There were large increases in the populations accused of index Group 1 'Non-sexual crimes of violence' (+28% between 2019-20 and 2020-21) and index Group 2 'Sexual offences' (+11% over the same period). However, the populations accused of index offences in Group 3 'Dishonesty' and Group 5 'Other crimes' *decreased* by 24% and 11% respectively between 2019-20 and 2020-21.

### **Prison Population Flows**

Population reductions are further reflected in a 28% reduction in **arrivals** to prison (from 14,340 to 10,260), and a 29% reduction in **departures** (from 14,741 to 10,493) between 2019-20 and 2020-21. Fewer **individuals** spent any time in prison over the course of 2020-21 than in 2019-20 (-3,071 to 14,239, a fall of around 18%). While all of these reductions continue trends observed from 2009-10, these are the largest single year reductions recorded.

Reflecting Covid impacts on the justice system, convicted awaiting sentence (-49%) and sentenced (-45%) arrivals fell by a larger proportion than untried arrivals (-14%) between 2019-20 and 2020-21. As a result, untried arrivals accounted for a greater share of all arrivals in 2020-21 than in 2019-20 - 67% compared to 56%.

While there was an overall fall in departures from custody in 2020-21, the number of liberations to bail increased. Departures from remand liberated on bail trebled compared with 2019-20, from 530 to 1,548 (section 6.4.1).

**Time spent on remand** continued to increase between 2019-20 and 2020-21 (section 6.3.1). For those who departed custody from remand, the median duration remained approximately the same (22 days in both reporting years). However, while in 2019-20 90% of remand departures had occurred with 98 days, in 2020-21 this had risen to 109 days.

For those who transitioned from remand to the sentenced population, the median time on remand rose steeply from 36 days to 55 days over the same period. In 2019-20, 90% of transitions occurred within 145 days but in 2020-21 this had risen to 175 days.

---

<sup>1</sup> Technical Manual: Index Offence group, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/analytical-factors-and-measurements/#Index%20offence%20group>

# Contents

<b>Key Findings</b> .....	<b>2</b>
<b>Contents</b> .....	<b>4</b>
List of Tables & Figures .....	6
Supplementary Tables.....	8
Technical Manual .....	8
Interactive Analytical Tool.....	8
<b>Introduction</b> .....	<b>9</b>
About Scottish Prison Population Statistics .....	9
<b>1 Average Daily Population</b> .....	<b>10</b>
1.1 Change in context - COVID impacts on the prison population .....	10
1.2 Legal status.....	12
1.3 Gender .....	14
1.4 Age.....	15
1.5 Other (average daily) population characteristics .....	16
<b>2 Sentenced Population – Offence and Sentence Length Profile</b> .....	<b>17</b>
2.1 Index offence groups.....	17
2.1.1 Women .....	18
2.1.2 Young people .....	19
2.2 Index offence categories .....	20
2.2.1 Group 1 – Non-sexual crimes of violence.....	20
2.2.2 Group 2 – Sexual offences .....	20
2.2.3 Group 3 – Crimes of dishonesty.....	20
2.2.4 Group 4 – Fire-raising, vandalism etc. ....	20
2.2.5 Group 5 – Other crimes .....	20
2.2.6 Group 6 – Miscellaneous offences .....	21
2.3 Index sentences .....	21
2.3.1 Women .....	22
2.3.2 Young people .....	23
<b>3 Remand Population – Offence Profile</b> .....	<b>24</b>
3.1 Index offence groups.....	24
3.2 Index offence categories .....	25
3.2.1 Group 1 – Non-sexual crimes of violence.....	25
3.2.2 Group 2 – Sexual offences .....	25
3.2.3 Group 3 – Dishonesty .....	25
3.2.4 Group 5 – Other crimes .....	25
3.2.5 Group 6 – Miscellaneous offences .....	26
3.2.6 Other offence categories.....	26
<b>4 Individuals Experiencing Imprisonment</b> .....	<b>27</b>
4.1 Gender .....	28

4.2	Age.....	28
4.3	Ethnicity .....	29
4.4	Other individual level characteristics .....	30
<b>5</b>	<b>Population In-Flows .....</b>	<b>31</b>
5.1	Arrivals to prison .....	31
5.2	Arrivals by legal status .....	31
5.3	Arrivals by local authority .....	32
5.4	Arrivals by deprivation .....	32
5.5	Arrivals by no fixed abode .....	33
5.6	Arrivals by offence group .....	33
<b>6</b>	<b>Population Transitions and Out-Flows .....</b>	<b>35</b>
6.1	Departures and transitions .....	35
6.2	Custodial journeys.....	36
6.3	Time in custody .....	37
6.3.1	Time on remand.....	37
6.4	Liberations.....	38
6.4.1	Liberations from remand .....	38
6.4.2	Sentenced liberations .....	40
<b>7</b>	<b>Source Comparison .....</b>	<b>41</b>
7.1	Legal status discrepancies .....	42
7.2	Sentence length ambiguity .....	43
<b>8</b>	<b>Context and supplementary information .....</b>	<b>44</b>
	Other sources of information on the Scottish prison population.....	45

# List of Tables & Figures

<b>Key Findings .....</b>	<b>2</b>
<b>Contents .....</b>	<b>4</b>
Table 1: Supplementary Tables.....	8
<b>Introduction.....</b>	<b>9</b>
<b>1      Average Daily Population.....</b>	<b>10</b>
Figure 1: Long-term trends in the average daily prison population, 2000-01 to 2020-21 10	
Figure 2: Monthly and quarterly average prison populations, showing a rapid reduction between March and May 2020.....	11
Figure 3: Legal Status – average daily populations, 2009-10 to 2020-21 .....	12
Figure 4: Monthly and quarterly average prison populations on remand, showing a rapid reduction to April 2020 followed by an increase through September 2020 .....	13
Figure 5: Monthly and quarterly average sentenced prison populations, showing a rapid reduction to July 2020 followed by a period of stabilisation from September 2020 13	
Figure 6: Men in prison by Legal Status – average daily populations, 2009-10 to 2020- 21.....	14
Figure 7: Women in prison by Legal Status – average daily populations, 2009-10 to 2020-21.....	15
<b>2      Sentenced Population – Offence and Sentence Length Profile.....</b>	<b>17</b>
Figure 8: Sentenced index offence groups – average daily populations, 2009-10 to 2020-21.....	17
Figure 9: Sentenced index offence groups of women – average daily populations, 2009- 10 to 2020-21 .....	18
Figure 10: Index offence groups of sentenced young people (under 21 years) – average daily populations, 2009-10 to 2020-21 .....	19
Figure 11: Index sentences – average daily populations, 2009-10 to 2020-21.....	21
Figure 12: Index sentence length populations of women in custody – average daily populations, 2009-10 to 2020-21.....	22
Figure 13: Index sentences of young people (under 20) – average daily populations, 2009-10 to 2020-21 .....	23
<b>3      Remand Population – Offence Profile .....</b>	<b>24</b>
Figure 14: Remand offence groups – average daily populations, 2009-10 to 2020-21..	24
<b>4      Individuals Experiencing Imprisonment .....</b>	<b>27</b>
Figure 15: Unique individuals spending any time in prison, 2009-10 to 2020-21 .....	27
Figure 16: Change in number of individuals experiencing imprisonment by legal status and age, 2019-20 to 2020-21 .....	29
<b>5      Population In-Flows .....</b>	<b>31</b>
Figure 17: Number of arrivals, and unique individuals arriving, 2009-10 to 2020-21 .....	31
Figure 18: Arrivals by Legal Status.....	32
Figure 19: Proportion of arrivals of individuals with no fixed abode continues to increase 33	

	Figure 20: Proportion of arrivals by Index Offence Groups, 2009-10 to 2020-21 .....	34
<b>6</b>	<b>Population Transitions and Out-Flows .....</b>	<b>35</b>
	Figure 21: Number of departures, and unique individuals departing, fell over 2009-10 to 2020-21 .....	35
	Figure 22: Departures by Journey Type .....	36
	Figure 23: Banded time in custody at departure .....	37
	Figure 24: Days on remand by destination – transition to the sentenced population or departure to the community – median and 90 <sup>th</sup> percentile days .....	38
	Figure 25: Number of transitions and departures from remand by liberation type .....	39
	Figure 26: Days on remand for transitions to the sentenced population and departures by liberation type, median and 90 <sup>th</sup> percentile .....	39
	Figure 27: Number of departures from sentenced status by liberation type.....	40
<b>7</b>	<b>Source Comparison .....</b>	<b>41</b>
	Figure 28: Comparison of sources for the overall prison population estimation show close alignment .....	41
	Figure 29: Comparison of sources of population estimates by legal status .....	42
<b>8</b>	<b>Context and supplementary information .....</b>	<b>44</b>

## Supplementary Tables

The following supplementary tables are available alongside this publication in Excel format<sup>2</sup>

**Table 1: Supplementary Tables**

<b>Table</b>	<b>Title</b>
A1	Average Daily Populations by Source
A2	Women and Young Offenders by Source
B1	Establishment Demographics
B2	Populations by Age and Gender
B3	Ethnicity
B4	Armed Services
B5	Disability
B6	Sexual Orientation
B7	Marital Status
C1	Arrivals and Departures per Person
C2	Arrivals by Local Authority
C3	Arrivals by Deprivation
C4	Arrivals Address Types
D1	Departures by Liberation Type
D2	Departures by Time Served
D3	Time Served by Age
E1	People in prison; Full- & Part-year Individuals
E2	Full- & Part-year Demographics
M1	Population Legal Statuses
M2	Population Index Offences
M3	Population Index Sentences
O1	Arrivals
O2	Remand Time Statistics
O3	Remand Departure / Transition Offences
O4	Departures and Liberation Types
O5	Arrivals and Transitions to the Sentenced Population
O6	Arrivals by Offence Group
X1	Monthly and Quarterly Prison Populations

## Technical Manual

Information about the derivation of the cellWise analytical dataset and the various measurements and factors used in this report is now provided in a stand-alone technical manual, available from the Scottish Government website<sup>3</sup>.

## Interactive Analytical Tool

An interactive tool has been produced alongside this report to allow users access to a bespoke analysis.

<https://scotland.shinyapps.io/sq-prison-population-statistics/>

---

<sup>2</sup> Supplementary Tables, <https://www.gov.scot/publications/scottish-prison-population-statistics-2020-21/documents/>

<sup>3</sup> Scottish Prison Population Statistics Technical Manual, <https://www.gov.scot/publications/scottish-prison-population-statistics/>



# Introduction

An Official Statistics Publication  
by  
Scottish Government Justice Analytical Services  
on behalf of the  
Scottish Prison Service

## About Scottish Prison Population Statistics

This publication was produced by Scottish Government statisticians using administrative data from the Scottish Prison Service (SPS) management information system PR2. These data are collected by prison officers and staff for operational intelligence and logistical support.

It is important to note that the prison population is not static; individuals move in and out of the population every day. PR2 is a live system, updating constantly to capture changes to the state of the prison population. An extract of data from this system reports on the population at the moment in time the extract is drawn. Like many other operational databases, it was not designed to retain detailed historical data, or to provide retrospective information to assess how the prison population has changed over time.

Up until 2014, the Scottish Government held and reported on data compiled by combining and linking daily extracts from PR2. A number of the tables and figures in those previous reports were also based on single-day 'snapshots' rather than the data compiled throughout the year.

Due to technological changes in 2014, it is no longer possible to produce these data. The dataset used in this publication has been created using the information that still exists about the times when prisoners occupied specific cells. Hence the population spine underlying this publication is termed "Cellwise", or the Cellwise data. More detail on how these data are constructed is provided in the Technical Manual<sup>4</sup>.

The construction of the Cellwise data is fundamentally different, both to the previous data design and to the aggregation produced by SPS in the interim. It has therefore not been possible to align these results exactly with previous publications. Chapter 7 shows that trends and approximate levels are sufficiently aligned for meaningful interpretation of high level prison population trends. Uncertainties in certain metrics will be highlighted throughout this report, and are also listed in chapter 7.

The Scottish Government is seeking views on its statistical products. To take part in this consultation, please complete the [Scottish Government official statistics feedback survey](#).

---

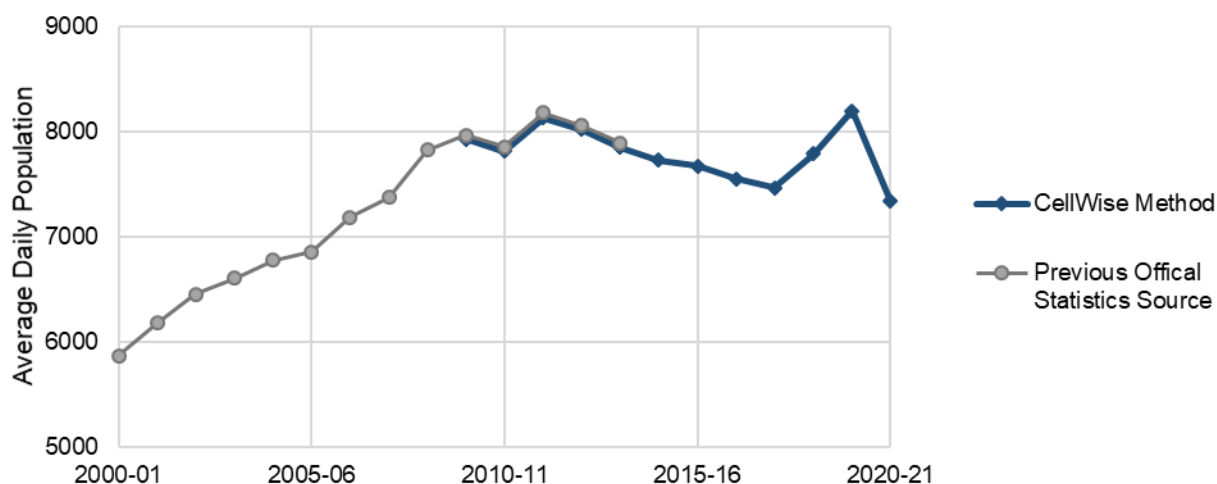
<sup>4</sup> Technical Manual: Cellwise Data Construction, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/cellwise-data-construction/>

# 1 Average Daily Population

[Supplementary tables A1]

Responses to Covid related public health measures across the Justice System had a substantial impact on Scotland's prison population in 2020-21. The average daily prison population<sup>5</sup> in 2020-21 was 7,337 – a reduction of around 10% from the previous year (8,200), which directly contrasts the annual population increases occurring between 2017-18 and 2019-20.

**Figure 1: Long-term trends in the average daily prison population, 2000-01 to 2020-21**



## 1.1 Change in context - COVID impacts on the prison population

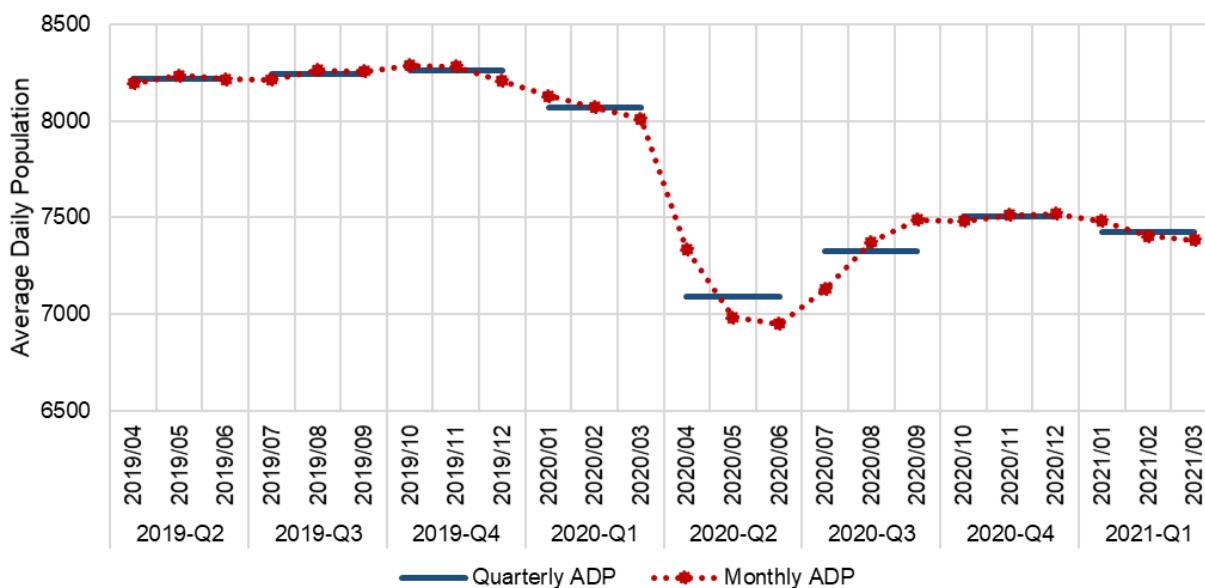
[Supplementary tables X1]

Using average daily population figures masks in-year changes in population levels. Under normal conditions, the changes occurring in the prison population on a day-to-day or week-to-week basis are small relative to the size of that population overall. However, coronavirus public health measures and the adaptations to these across the justice system, led to rapid and significant changes in the prison population from Spring 2020.

As Figure 2 shows, the average prison population fell rapidly in the first three months of the pandemic, from around 8,000 in March 2020 to just under 7,000 by June 2020. The population rose thereafter, and broadly stabilised from September 2020 at around 7,500.

<sup>5</sup> Technical Manual: Average daily population, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/analytical-factors-and-measurements/#Average%20daily%20population>

**Figure 2: Monthly and quarterly average prison populations, showing a rapid reduction between March and May 2020**



Compliance with public health measures during the pandemic influenced operations across the criminal justice system. The Lord Advocate issued revised guidelines on the use of police custody, and the courts had to close for extended periods or operate at reduced capacity. Prison establishments had to ensure sufficient space to allow prisoners to observe public health measures.

The impact of justice system responses to public health measures in 2020-21 included: a decreased volume of custody cases reported to the Crown Office and Procurator Fiscal Service, and an increased volume of undertakings reports<sup>6</sup>; a reduced likelihood of an accused being remanded<sup>7</sup>; a reduced volume of concluded cases in courts, with subsequent reduction in custodial sentences issued *and* growth in the trial backlog<sup>8</sup>; and an agreement in the initial stages of the pandemic response to early release of eligible short term sentenced prisoners<sup>9</sup>. Combined, these shifts impacted both the in-flows to custody and the out-flows *from* custody.

<sup>6</sup> Coronavirus (COVID-19): Justice Analytical Services data report, <https://www.gov.scot/collections/coronavirus-covid-19-justice-analytical-services-data-report/>

<sup>7</sup> Sheriff Courts - remand and bail outcomes: occasional paper, <https://www.gov.scot/publications/occasional-paper-remand-bail-outcomes-first-bail-decision-points-sheriff-courts/>

<sup>8</sup> Coronavirus (COVID-19): Justice Analytical Services data report, <https://www.gov.scot/collections/coronavirus-covid-19-justice-analytical-services-data-report/>, and Sheriff Courts - remand and bail outcomes: occasional paper, <https://www.gov.scot/publications/occasional-paper-remand-bail-outcomes-first-bail-decision-points-sheriff-courts/>

<sup>9</sup> SPS COVID-19 Information Hub, <https://www.sps.gov.uk/Corporate/Information/covid19/covid-19-information-hub.aspx>

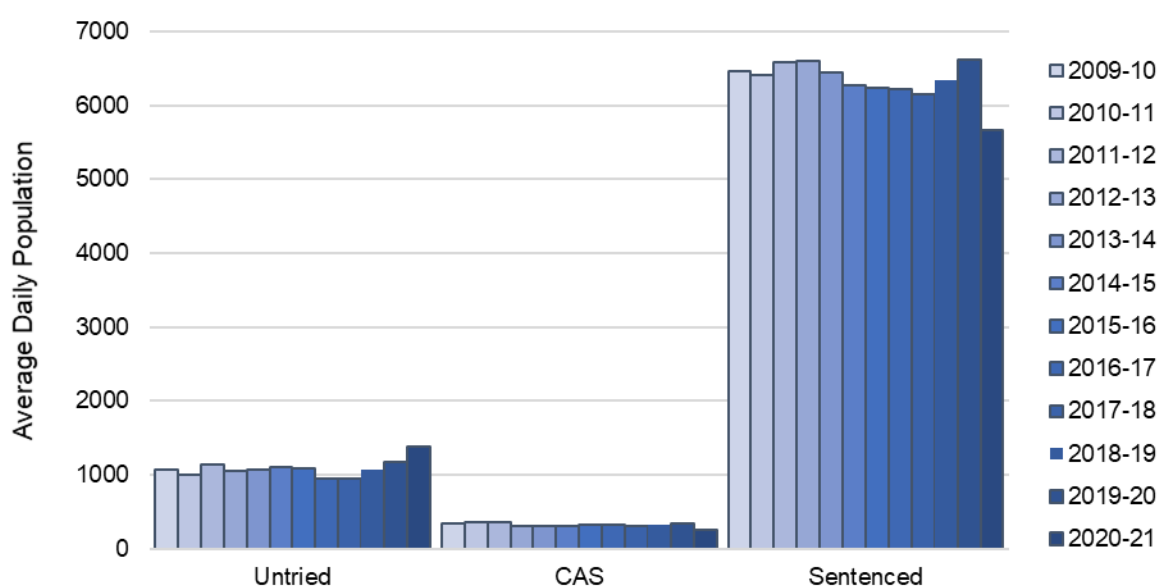
Whilst it is not yet possible to isolate the impact of the pandemic on the data, it is reasonable to conclude that the latest data is predominantly a reflection of the impact of the pandemic across the justice system, and should not be interpreted as indicative of longer-term trends.

## 1.2 Legal status

[Supplementary tables M1 and X1]

The overall (average daily) prison population fell 10% in 2020-21, but Figure 3 shows the distribution of that change varied by legal status<sup>10</sup> category – likely a reflection of the operational changes across the justice system detailed in section 1.1.

**Figure 3: Legal Status – average daily populations, 2009-10 to 2020-21**



The sentenced population fell by almost 15%, from around 6,621 in 2019-20 to around 5,657 in 2020-21. The convicted awaiting sentence (CAS) population fell further, by around 28% from around 347 in 2019-20 to around 250 in 2020-21. Over the same period, the untried population *increased* by almost 18%, rising from around 1,178 in 2019-20 to around 1,384 in 2020-21.

Combining the untried and CAS population changes, the overall remand population increased by 7% between 2019-20 and 2020-21.

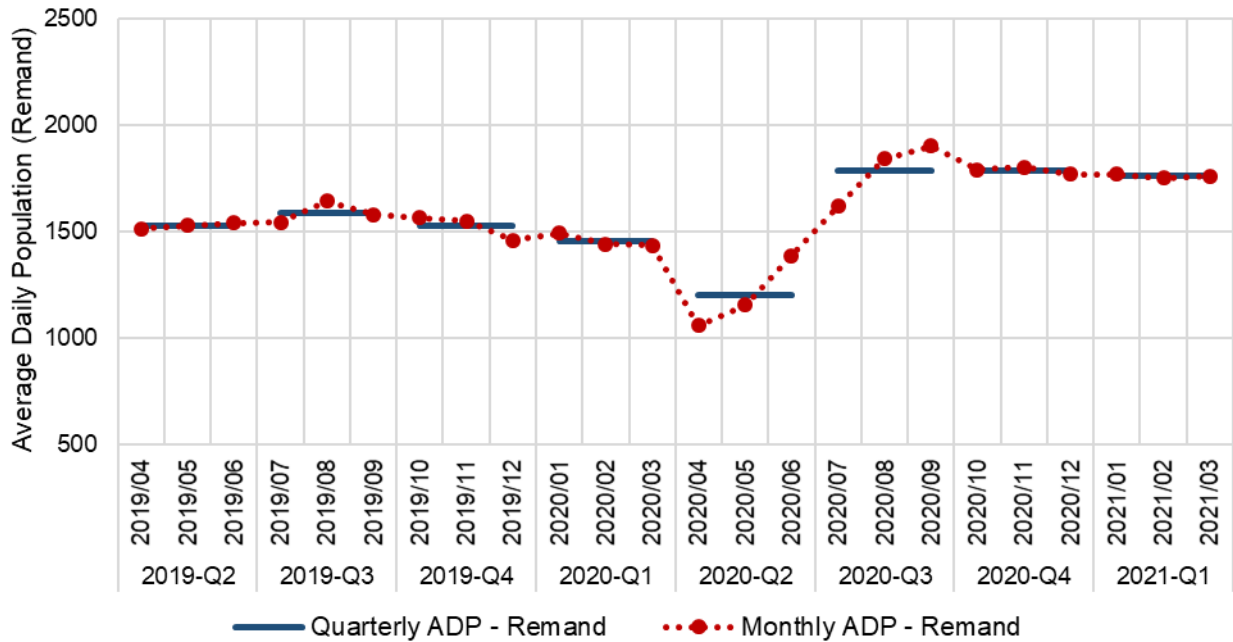
On the average day in 2020-21, 1,633 prisoners were on remand. This is the highest level since at least 2008-09<sup>11</sup> and, at 22% of the population, the largest proportion on remand on record. This estimate in relation to other sources is discussed in section 7.1.

<sup>10</sup> Technical Manual: Legal status, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/analytical-factors-and-measurements/#Legal%20status>

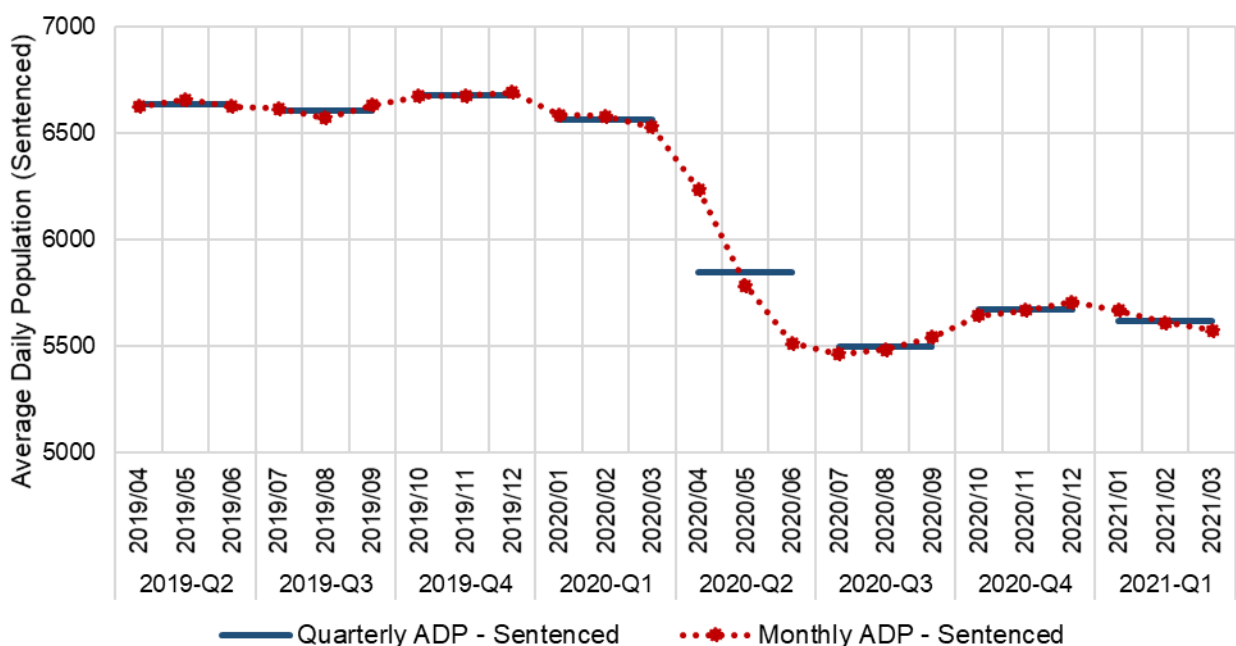
<sup>11</sup> Scottish Government, Prison statistics Scotland 2010-11 <https://www.gov.scot/publications/statistical-bulletin-crime-justice-series-prison-statistics-scotland-2010-11/pages/5/>

Figure 4 and Figure 5 provide the monthly and quarterly average daily populations on remand or serving a sentenced over the past two years. After an initial sharp decrease the remand population grew rapidly – levelling off at a higher level than pre-pandemic. Meanwhile the sentenced population fell more slowly but then plateaued at a lower overall level.

**Figure 4: Monthly and quarterly average prison populations on remand, showing a rapid reduction to April 2020 followed by an increase through September 2020**



**Figure 5: Monthly and quarterly average sentenced prison populations, showing a rapid reduction to July 2020 followed by a period of stabilisation from September 2020**



### 1.3 Gender

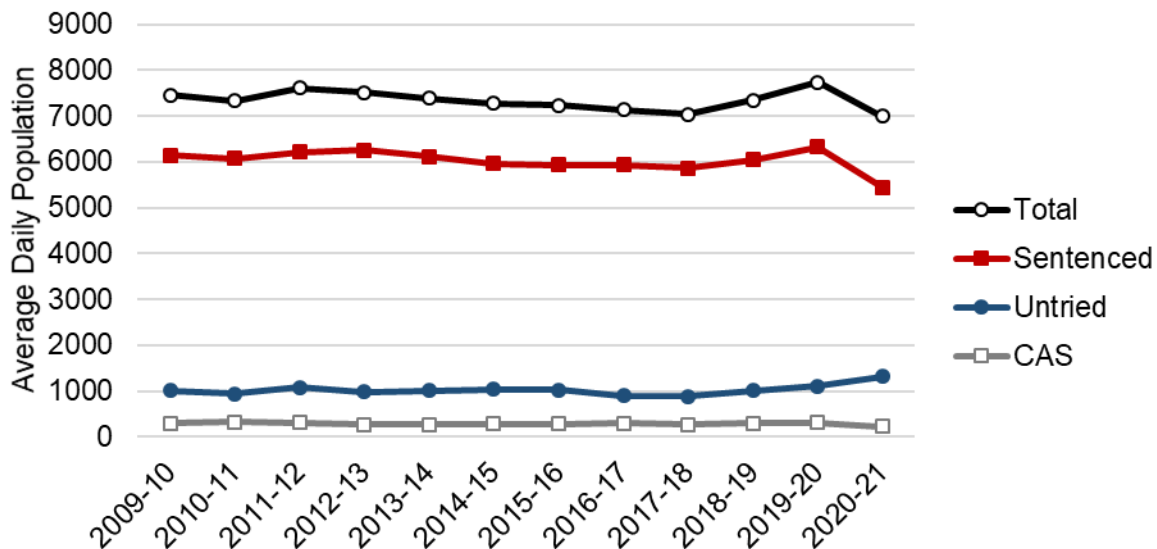
[Supplementary tables A2, B2 and M1]

The (average daily) populations of both men and women fell in 2020-21. Men comprised over 95% of the average daily population in 2020-21.

The population of men fell from 7,793 in 2019-20 to 7,037 in 2020-21, a fall of almost 10%.

As with the population overall, this pattern varied by legal status category. Figure 6 shows that between 2019-20 and 2020-21 the men’s sentenced population fell around 14% from 6,320 to 5,444 and the convicted awaiting sentence (CAS) population fell 26% from 314 to 232. At the same time, the men’s untried population *increased* by almost 19% from 1,110 in 2019-20 to 1,317 in 2020-21.

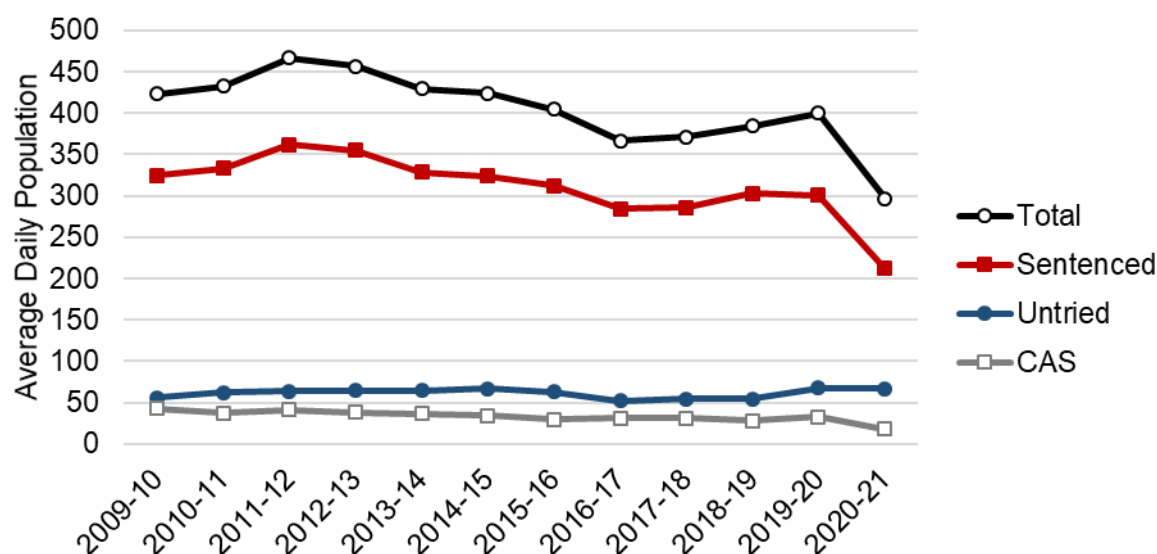
**Figure 6: Men in prison by Legal Status – average daily populations, 2009-10 to 2020-21**



The population of women fell almost 26% from 402 in 2019-20 to around 300 in 2020-21. The proportion of the population overall who were women fell from 4.8% in 2019-20 to 4% in 2020-21.

As shown in Figure 7, the sentenced population of women fell by 29% from 300 to 212, and the CAS population almost halved, falling from around 33 in 2019-20 to around 18 in 2020-21. In contrast to the men’s population, the size of the average daily population of untried women did *not* change between 2019-20 and 2020-21 (remaining around 67 in both reporting years).

**Figure 7: Women in prison by Legal Status – average daily populations, 2009-10 to 2020-21**



As a share of their respective populations, the proportion of women on remand has consistently exceeded that of men. In both cases, that proportion rose between 2019-20 and 2020-21: for men that proportion increased from 18% to 22%, while for women it increased from 25% to 28%.

### 1.4 Age

[Supplementary tables A2, B2, and M1]

In the context of a 10% reduction in the (average daily) population overall, there was a greater reduction in the population of young people in custody. The population of 16 and 17 year olds accelerated in its general downward trend, falling from 31 in 2019-20 to 22 in 2020-21. Similarly, the population of 18 to 20 year olds continued a downward trend, falling by around 34% from 294 in 2019-20 to 194 in 2020-21.

Once again, this pattern has varied by legal status category. For 16 and 17 year olds, the sentenced population more than halved from 16 in 2019-20 to 7 in 2020-21, and the convicted awaiting sentence (CAS) population fell from around 5 to 2. The untried population increased by a small amount from around 10 in 2019-20 to around 12 in 2020-21.

For 18 to 20 year olds, the sentenced population almost halved, falling from around 208 in 2019-20 to 110 in 2020-21, and the CAS population reduced by around a third from 27 to 19 over the same period. The untried population increased by a small amount from around 58 to 62.

Across all other age categories (with the exception of 65-69 years), the number of untried people in prison increased in 2020-21. The largest increases were in the age groups 25-29 (+51, +24%), 30-34 (+57, +23%) and 35-39 (+30, +15%). The 65-69 age group fell from 5.4 to 2.7 people on average.

The CAS population fell across all age groups between 2019-20 and 2020-21, as did the sentenced population (with the exception of the 70+ years category, which increased from 106 in 2019-20 to 114 in 2020-21).

## **1.5 Other (average daily) population characteristics**

Information on other available protected characteristics (ethnicity, disability, sexual orientation, and marital status), as well as breakdowns by prison establishment and armed forces history are available in the Supplementary Tables B1-7 accompanying this release.



## 2 Sentenced Population – Offence and Sentence Length Profile

To allow comparison over time and with other statistical sources covering the justice system, we examine the offence profile of those held in custody by index offence<sup>12</sup>. The 35 offence categories (and seven over-arching offence groups) provide high-level summaries of the offence profile of the prison population, but may mask the full complexity of the offence profiles of individuals in the prison population.

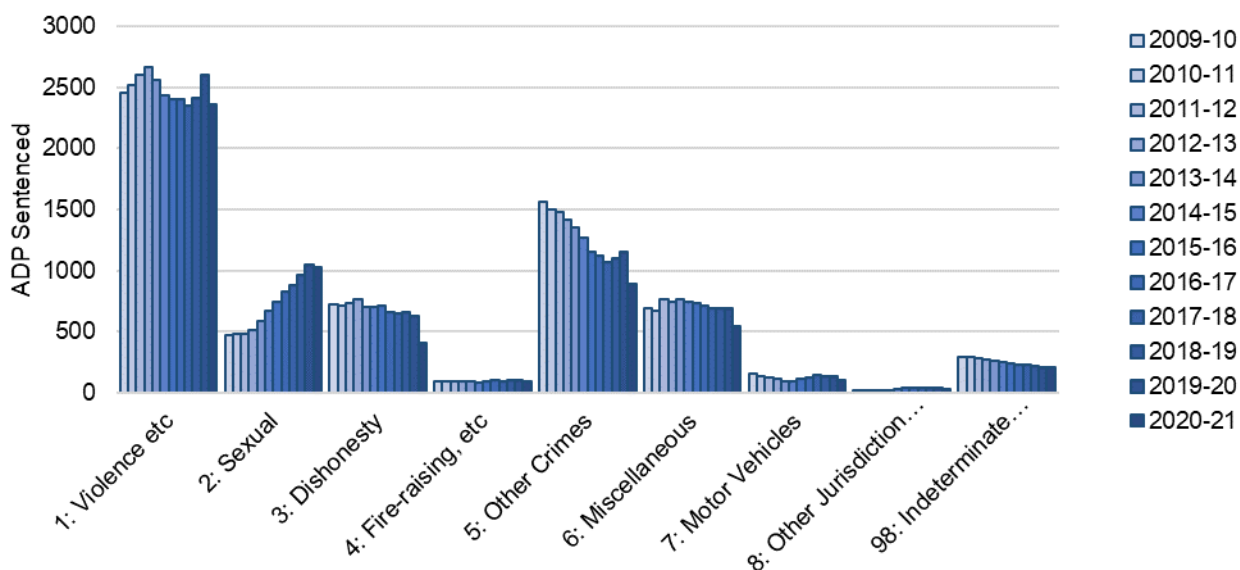
Some of the likely reasons for the changes discussed in this section are discussed in section 1.1.

### 2.1 Index offence groups

[Supplementary tables M2]

There were reductions in the (average daily) sentenced population across all offence groups between 2019-20 and 2020-21. However, as Figure 8 shows, the extent of that reduction varied across the different offence groups<sup>13</sup>.

**Figure 8: Sentenced index offence groups – average daily populations, 2009-10 to 2020-21**



<sup>12</sup> Technical Manual: Index offence derivation, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/cellwise-data-construction/#Index%20Offence%20Derivation>

<sup>13</sup> Technical Manual: Index offence groups, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/analytical-factors-and-measurements/#Index%20offence%20group>

In the context of a 15% fall in the sentenced population overall, the population with a group 2 sexual index offence reduced by just 2.8% between 2019-20 and 2020-21, and the population with a group 1 non-sexual violence index offence reduced by around 9% over the same period. The sentenced populations with index offences in groups 3, 5 and 6 (crimes of dishonesty, other crimes and miscellaneous crimes) reduced by 35%, 23% and 21% respectively between 2019-20 and 2020-21.

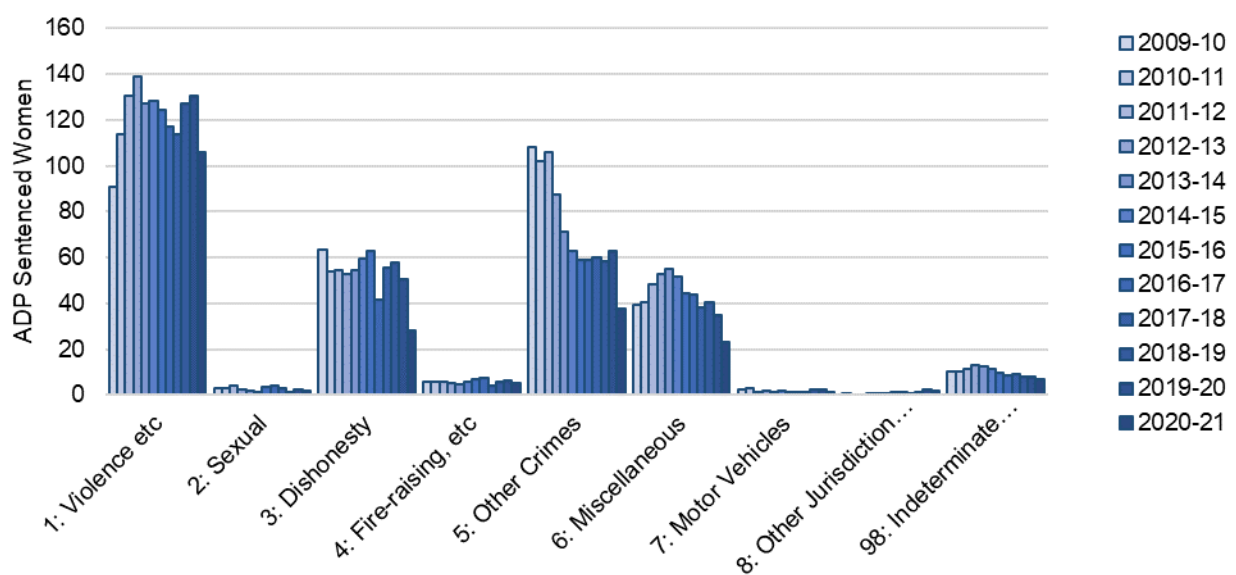
The varied reduction across the offence groups between 2019-20 and 2020-21 has changed the overall offence profile of the prison population. In 2019-20, around 55% of the sentenced population had a group 1 or 2 index offence. In 2020-21, this rose to almost 60%.

### 2.1.1 Women

[Supplementary tables M2]

In the context of a 29% fall in the sentenced population of women, the index offence group profile of the women's (average daily) prison population changed from 2019-20 to 2020-21. As with the population overall, there have been reductions across all offence groups, with the exception of the population serving sentences for sexual offences, which remains very small (see Figure 9).

**Figure 9: Sentenced index offence groups of women – average daily populations, 2009-10 to 2020-21**



The population of women serving sentences for index offences in group 1 non-sexual crimes of violence fell by just over 18% from around 131 in 2019-20 to around 106 in 2020-21.

There were substantial reductions in the populations serving sentences for group 3, 5 and 6 index offences, albeit the absolute numbers are small. The population of women serving sentences for index group 3 dishonesty offences almost halved from 51 in 2019-20 to 28 in 2020-21, while over the same time period the population of women serving sentences for index group 5 and group 6 offences fell by 40% (from 63 to 38) and 33% (from 35 to 23) respectively.

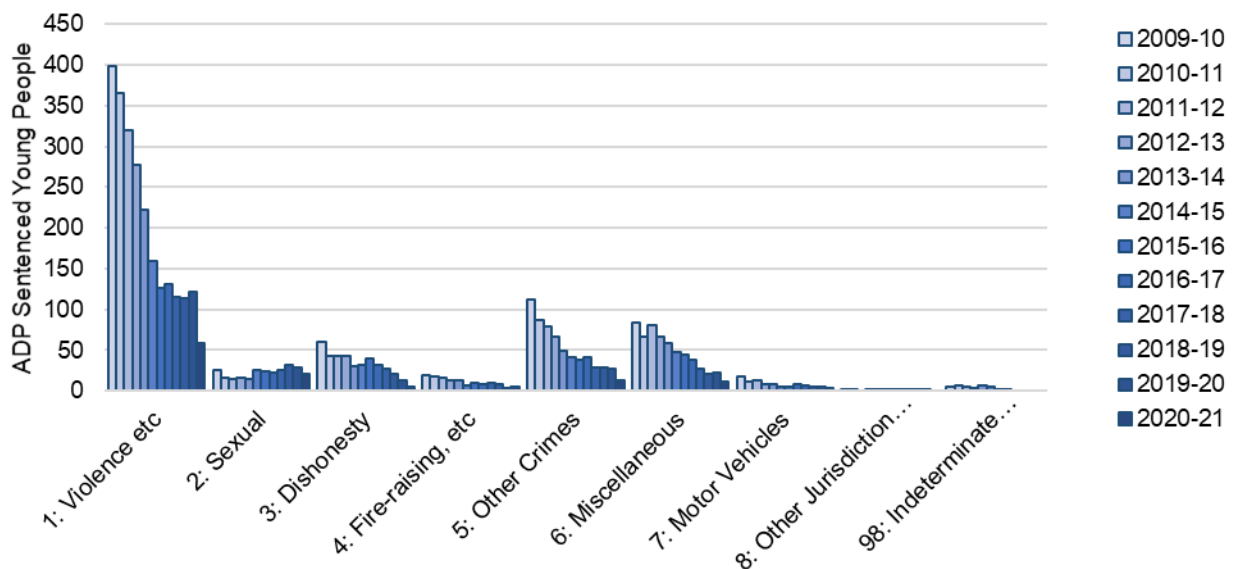
As per the overall population, the variation in the extent of the reductions across the different offence groups has changed the overall offence profile of the women’s prison population. In 2019-20, 43% of the sentenced population of women were serving sentences for index group 1 non-sexual crimes of violence. In 2020-21, this rose to 50%.

### 2.1.2 Young people

[Supplementary tables M2]

The sentenced (average daily) population of young people continued a previously observed downward trend across all offence groups<sup>14</sup>, including those serving sentences for index group 1 non-sexual crimes of violence (where an increase had been noted in 2019-20). See Figure 10:

**Figure 10: Index offence groups of sentenced young people (under 21 years) – average daily populations, 2009-10 to 2020-21**



In line with the overall pattern for the sentenced population of young people (see section 1.4), the population across each of the main offence groups has almost halved. Non-sexual crimes of violence continued to account for the largest group in the sentenced population of young people in 2020-21 – just over 50%.

<sup>14</sup> Scottish Prison Population Statistics: Legal Status, 2019-20, <https://www.gov.scot/publications/scottish-prison-population-statistics-legal-status-2019-20/pages/6/>

## 2.2 Index offence categories

[Supplementary tables M2]

This section provides detailed breakdowns of index offence groups by subcategory<sup>15</sup>.

### 2.2.1 Group 1 – Non-sexual crimes of violence

There were reductions in the (average daily) populations across all index offence categories in group 1, with the exception of 'Other non-sexual crimes of violence' where the population rose from around 93 in 2019-20 to 113 in 2020-21. The population serving sentences for 'Homicide etc.' reduced by a very small amount from around 651 in 2019-20 to around 644 in 2020-21, but the populations serving sentences for 'Attempted murder and serious assault' and 'Robbery' reduced by 13.8% and 13.7% respectively over the same time period.

### 2.2.2 Group 2 – Sexual offences

In line with the previously observed rising trend<sup>16</sup>, the (average daily) population serving sentences for 'Rape and attempted rape' *increased* between 2019-20 and 2020-21. This population rose by just over 3% from around 641 in 2019-20 to around 663 on an average day in 2020-21. The populations across the other group 2 offence categories reduced by small amounts between 2019-20 and 2020-21 (relative to the 15% reduction in the sentenced population overall).

### 2.2.3 Group 3 – Crimes of dishonesty

The average daily populations across the group 3 offence categories all fell in 2020-21. With respect to 'Housebreaking' (32% decrease from 299 in 2019-20 to around 204 in 2020-21) and 'Shoplifting' (more than halving from 99 in 2019-20 to 47 in 2020-21) these reductions were substantial.

### 2.2.4 Group 4 – Fire-raising, vandalism etc.

The average daily population with an index offence of vandalism was static between 2019-20 and 2020-21, in the context of a 15% reduction in the sentenced population overall. Fire-raising index offences fell by 24%; more than the sentenced population as a whole.

### 2.2.5 Group 5 – Other crimes

The average daily populations across the group 5 offence categories fell in 2020-21. The most substantial reduction was in the population serving an index 'Drugs' offence, falling by 30% from 647 in 2019-20 to around 453 in 2020-21.

---

<sup>15</sup> Technical Manual: Index offence, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/analytical-factors-and-measurements/#Index%20offence>

<sup>16</sup> Scottish Prison Population Statistics: Legal Status, 2019-20. Section 3.1.2  
<https://www.gov.scot/publications/scottish-prison-population-statistics-legal-status-2019-20/pages/6/>

## 2.2.6 Group 6 – Miscellaneous offences

The (average daily) populations across the group 6 offence categories fell in 2020-21 (albeit noting that not all offence categories in this group are present as index offences within the prison population). The population serving sentences for ‘Breach of the peace’ fell almost 30% from 312 in 2019-20 to around 220 in 2020-21.

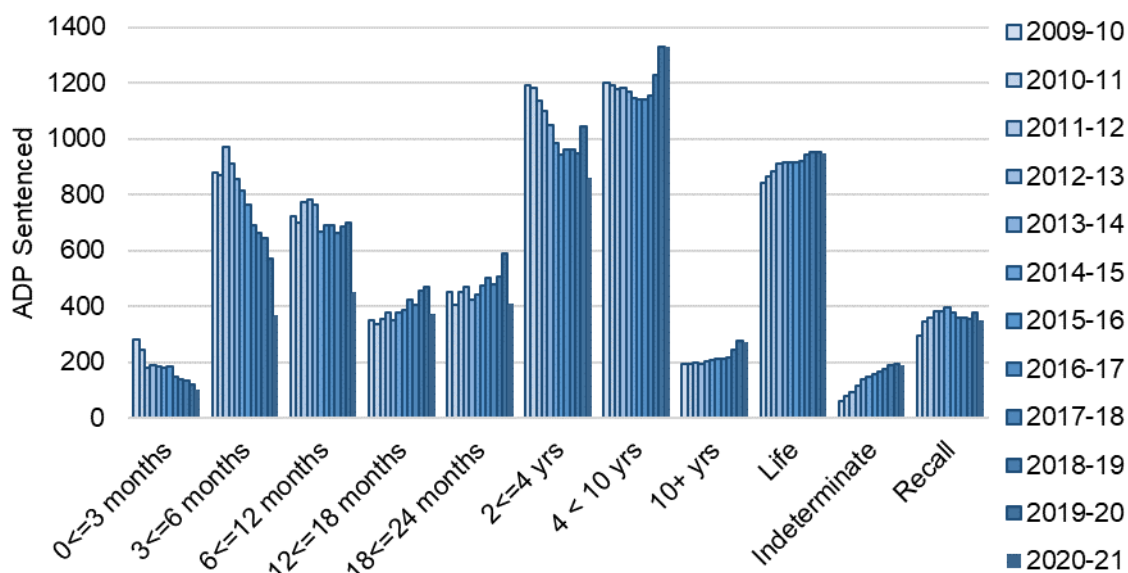
## 2.3 Index sentences

[Supplementary tables M3]

The index sentence is the longest single sentence being served in each occupancy period<sup>17</sup>. Where somebody has multiple custodial sentences, the *overall* sentence length cannot be calculated from the available data. This is due to a lack of information as to whether multiple custodial sentences are to be served consecutively or concurrently. Where an individual is given multiple sentences to be served consecutively (a common occurrence with multiple short sentences), their overall sentence length may be considerably longer than the longest individual sentence.

As Figure 11 shows, between 2019-20 and 2020-21, there was a reduction in the (average daily) populations with an index sentence of 4 years or less. The extent of that reduction varied by category. While the sentenced population fell 15% overall, the populations with index sentences of up to 3 months, from 12 up to 18 months, and from 2 up to 4 years reduced by 14% (119 to 103), 21% (469 to 372) and 18% (1,045 to 859) respectively. Across other index sentences under 4 years, the reductions were greater, ranging from 30% to 35%.

**Figure 11: Index sentences – average daily populations, 2009-10 to 2020-21**



<sup>17</sup> Technical Manual: Index sentence, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/analytical-factors-and-measurements/#Index%20sentence>

On the other hand, the populations of those serving longer and indeterminate index sentences remained largely stable between 2019-20 and 2020-21.

The population of recalled prisoners fell by 8%, from around 378 in 2019-20 to around 348 in 2020-21.

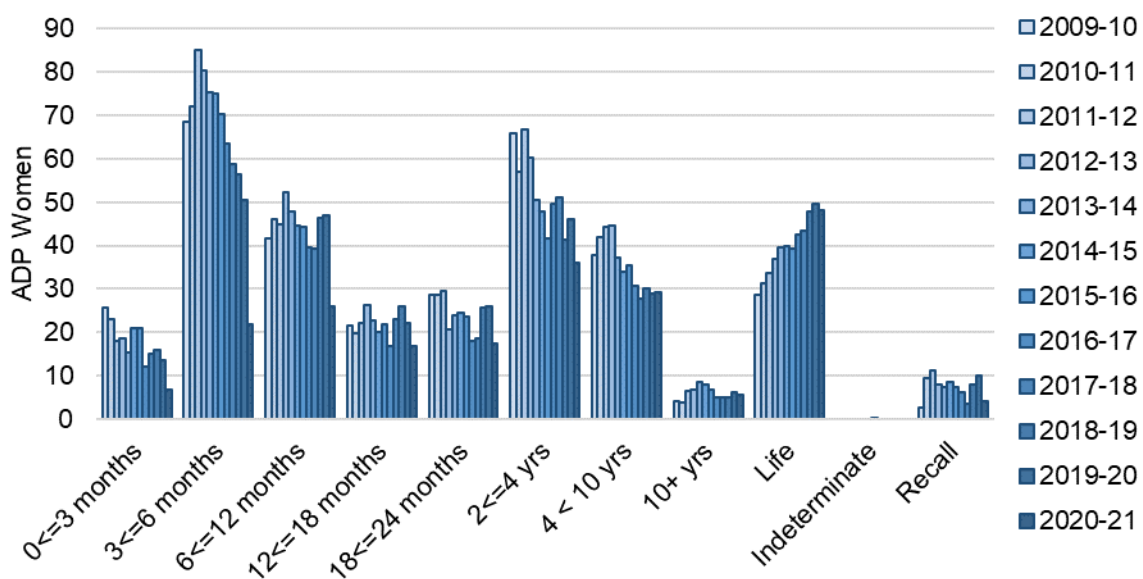
The patterns observed in 2020-21 contrast the longer-term trends previously observed in the index sentence profile of the prison population<sup>18</sup>.

### 2.3.1 Women

Looking at sentence length trends by gender is challenging due to the smaller numbers of women held in custody in a given year. Given the 29% reduction in the women’s sentenced population during 2020-21, this challenge is greater than in previous statistical releases.

Figure 12 shows the index sentence profile of the (average daily) population of women in 2020-21. As in the overall population, there were substantial reductions in the population of women serving short-term index sentences between 2019-20 and 2020-21 (albeit the absolute numbers are small). Also similar is the broad stability in the population of women serving long-term and life index sentences between 2019-20 and 2020-21.

**Figure 12: Index sentence length populations of women in custody – average daily populations, 2009-10 to 2020-21**

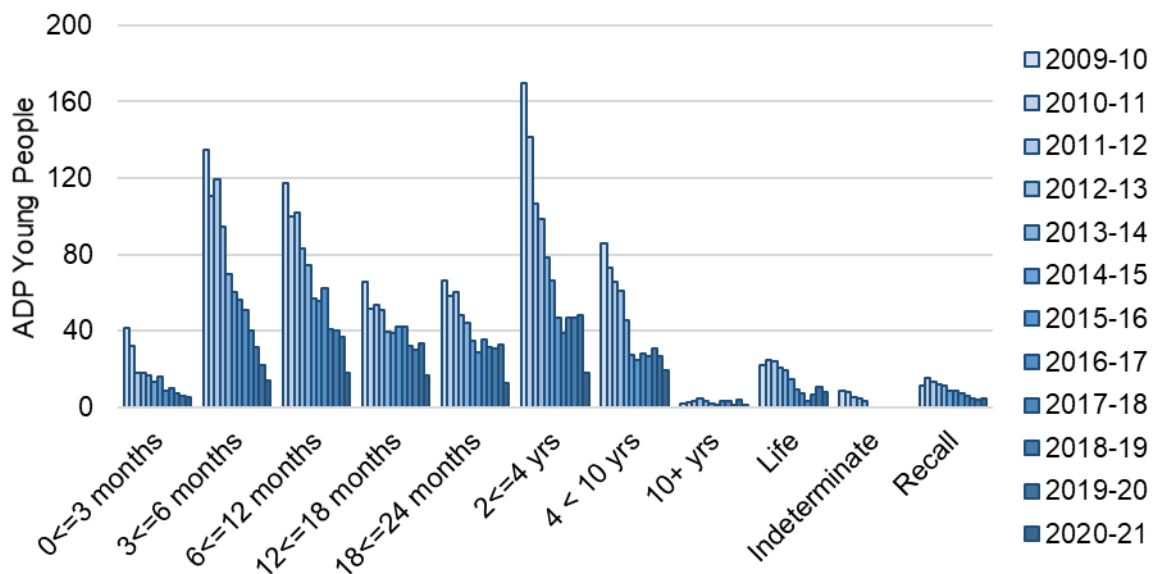


<sup>18</sup> Scottish Prison Population Statistics: Legal Status, 2019-20, Section 3.2  
<https://www.gov.scot/publications/scottish-prison-population-statistics-legal-status-2019-20/pages/6/>

### 2.3.2 Young people

Looking at sentence length trends for young people is also challenging due to the small numbers of young people in custody. Again this challenge is greater in this current statistical release due to the large population reductions occurring in 2020-21 (see Figure 13).

**Figure 13: Index sentences of young people (under 20) – average daily populations, 2009-10 to 2020-21**



In line with the overall trends, there have been reductions in the (average daily) population of young people serving short-term index sentences between 2019-20 and 2020-21. Some have been substantial, but the very small absolute numbers in each category make discerning a clear pattern difficult. Unlike the overall trend, there have also been reductions in the numbers serving long-term and life sentences. Once again though, very small absolute numbers are challenging to interpret.



### 3 Remand Population – Offence Profile

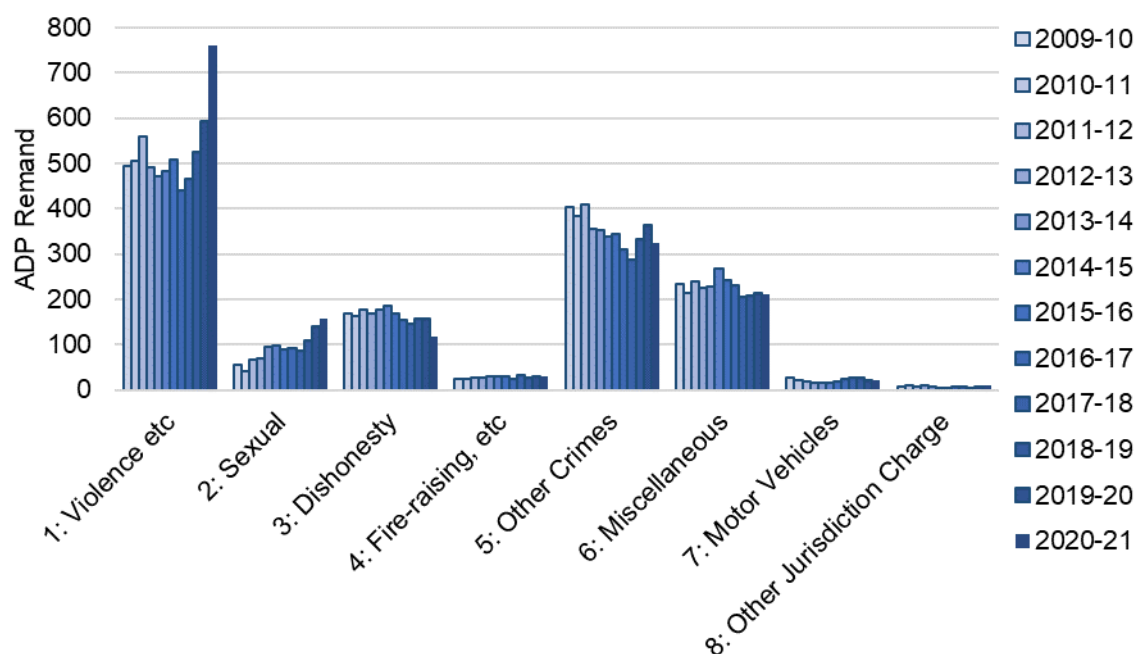
The overall remand population comprises individuals who are untried and those who are convicted awaiting sentence (CAS)<sup>19</sup>. The offence profile of the remand population changed considerably between 2019-20 and 2020-21.

#### 3.1 Index offence groups

[Supplementary tables M2]

While the overall (average daily) remand population rose 7% from 2019-20 to 2020-21, this rise is not observed across all of the index offence<sup>20</sup> groups within the remand population (see Figure 14).

**Figure 14: Remand offence groups – average daily populations, 2009-10 to 2020-21**



There were large increases in the remand population accused of index group 1 non-sexual crimes of violence between 2019-20 and 2020-21. This population increased by 28% from around 593 to 761. The remand population accused of index group 2 sexual offences also increased, rising 11% from around 140 in 2019-20 to 156 in 2020-21.

The remand populations accused of index offences in group 4 fireraising, vandalism etc, group 6 miscellaneous offences and group 7 motor vehicle offences remained broadly stable between 2019-20 and 2020-21.

<sup>19</sup> Technical Manual: Legal Status, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/analytical-factors-and-measurements/#Legal%20status>

<sup>20</sup> Technical Manual: Index Offence group, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/analytical-factors-and-measurements/#Index%20offence%20group>



However, the remand populations accused of index offences in group 3 Dishonesty and group 5 Other crimes *decreased* between 2019-20 and 2020-21. The population of those accused of index dishonesty offences fell by 24%, from 157 in 2019-20 to 119 in 2020-21, and the population of those accused of index other crimes fell by 11% from 363 to 323 over the same time period.

## **3.2 Index offence categories**

[Supplementary tables M2]

This section provides a breakdown of the remand population into the subcategories of index offence<sup>21</sup>.

### **3.2.1 Group 1 – Non-sexual crimes of violence**

The (average daily) remand population increased across all of the offence categories within group 1 between 2019-20 and 2020-21. The population accused of an index 'Robbery' offence increased by 18% from 98 to 117, while the population accused of an index 'Attempted murder and serious assault' offence increased by 26% from 407 to 513. The population accused of 'Homicide etc.' rose by almost two thirds, from 31 in 2019-20 to around 50 in 2020-21, while the population accused of 'Other non-sexual crimes of violence' rose from 56 to 83.

### **3.2.2 Group 2 – Sexual offences**

The (average daily) remand population accused of an index 'Rape and attempted rape' offence rose by around one fifth between 2019-20 and 2020-21, from 89 to 108. Across all other offence categories in group 2 the population of accused persons remained broadly stable from 2019-20 to 2020-21.

### **3.2.3 Group 3 – Dishonesty**

The (average daily) remand population accused of group 3 offences is comparatively small. The absolute populations in any given category are low, and change over time is difficult to interpret. Between 2019-20 and 2020-21, there were reductions in the remand populations accused of index 'Housebreaking' (89 to 72) and 'Shoplifting' (17 to 6) offences. The populations across the remaining offence categories were broadly stable between 2019-20 and 2020-21.

### **3.2.4 Group 5 – Other crimes**

The (average daily) remand population remained broadly stable across the different offence categories under group 5 between 2019-20 and 2020-21 - with the exception of 'Drugs' offences. The population accused of an index 'Drugs' offence fell by 22% from 149 in 2019-20 to 115 in 2020-21.

---

<sup>21</sup> Technical Manual: Index offence, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/analytical-factors-and-measurements/#Index%20offence>

### **3.2.5 Group 6 – Miscellaneous offences**

The (average daily) remand population accused of an index 'Common assault' offence rose by around 31% between 2019-20 and 2020-21, from 83 to 109. On the other hand, the remand population accused of an index 'Breach of the peace' offence fell by around 22% over the same time period, from around 103 to 80.

### **3.2.6 Other offence categories**

The remaining offence categories (those in groups 4 and 7) accounted for very small numbers of the average daily remand population in 2020-21. Further information on these categories is contained in the supplementary table (M2).

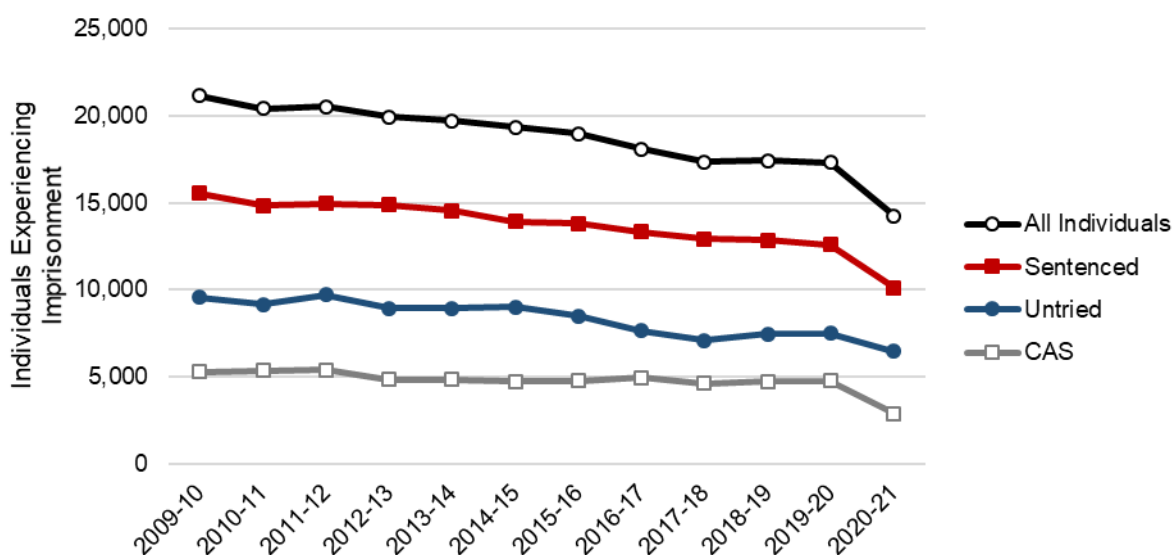
## 4 Individuals Experiencing Imprisonment

[Supplementary tables B2 and M1]

The number of individuals<sup>22</sup> who spent any time in prison over the course of 2020-21 was considerably lower than in 2019-20, as discussed in section 1.1. 14,239 people spent a day or more in prison over the period, compared with 17,310 in 2019-20 – a reduction of around 18%. While the number of individuals spending time in prison has fallen year on year since 2009-10, this is a larger single year reduction than previously observed (see Figure 15).

Note that this measure differs from average daily population<sup>23</sup> in that each individual is given equal weight regardless of how long they spent in prison.

**Figure 15: Unique individuals spending any time in prison, 2009-10 to 2020-21**



Between 2019-20 and 2020-21 there was a 14% decrease in the number of individuals spending any time untried (7,516 to 6,457), a 20% decrease in sentenced (12,595 to 10,122) and a 40% decrease in those convicted awaiting sentence (4,786 to 2,874)<sup>24</sup>.

Contrasting the smaller number of untried individuals here with the 18% increase in the average daily population of untried people (see section 1.2) indicates that the time spent with this status increased between 2019-20 and 2020-21. This is explored in more detail in section 6.3.1.

<sup>22</sup> Technical Manual: Individuals, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/analytical-factors-and-measurements/#Individuals>

<sup>23</sup> Technical Manual: Average daily population, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/analytical-factors-and-measurements/#Average%20daily%20population>

<sup>24</sup> Technical Manual: Legal Status, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/analytical-factors-and-measurements/#Legal%20status>

Note that an individual can have more than one legal status type in a given year. This means that the total number of individuals across the legal status types will sum to more than the total number of individuals held in custody.

In the rest of this section we examine the changes in the characteristics of individuals experiencing imprisonment.

## 4.1 Gender

[Supplementary tables B2 and M1]

Women comprised just 6% of individuals experiencing imprisonment in 2020-21, down from 7% in 2019-20.

The number of men spending any time in prison over this period fell 17% from 16,043 in 2019-20 to 13,371 in 2020-21. For women the fall was greater – a 31% reduction from 1,264 in 2019-20 to 867 in 2020-21.

The greater proportionate decrease in women experiencing imprisonment holds across legal status categories. While there was a 13% decrease in men experiencing a period in prison untried, it was a 22% decrease among women. The 39% decrease in men convicted awaiting sentencing was a 53% in the number of women, and the 19% reduction in sentenced men was a 33% decrease in sentenced women.

## 4.2 Age

[Supplementary tables B2 and M1]

The overall reduction in the number of individuals experiencing imprisonment in 2020-21 held across all age groups, with the exception of 75+ years group, which increased from 67 in 2019-20 to 71 (see Figure 16). This is in contrast to the trend from 2009-10 to 2019-20, where reductions in the number of individuals were only observed in the younger age groups (under 30 years)<sup>25</sup>.

The previously identified trend<sup>26</sup> of an aging group of people experiencing imprisonment continued through 2020-21. The average age of individuals spending any time in prison in 2010-11 was 31.8 years; by 2020-21 this had risen to 36.6. The proportion aged 55 years or older has more than doubled in ten years, from 3.3% to 7.8%.

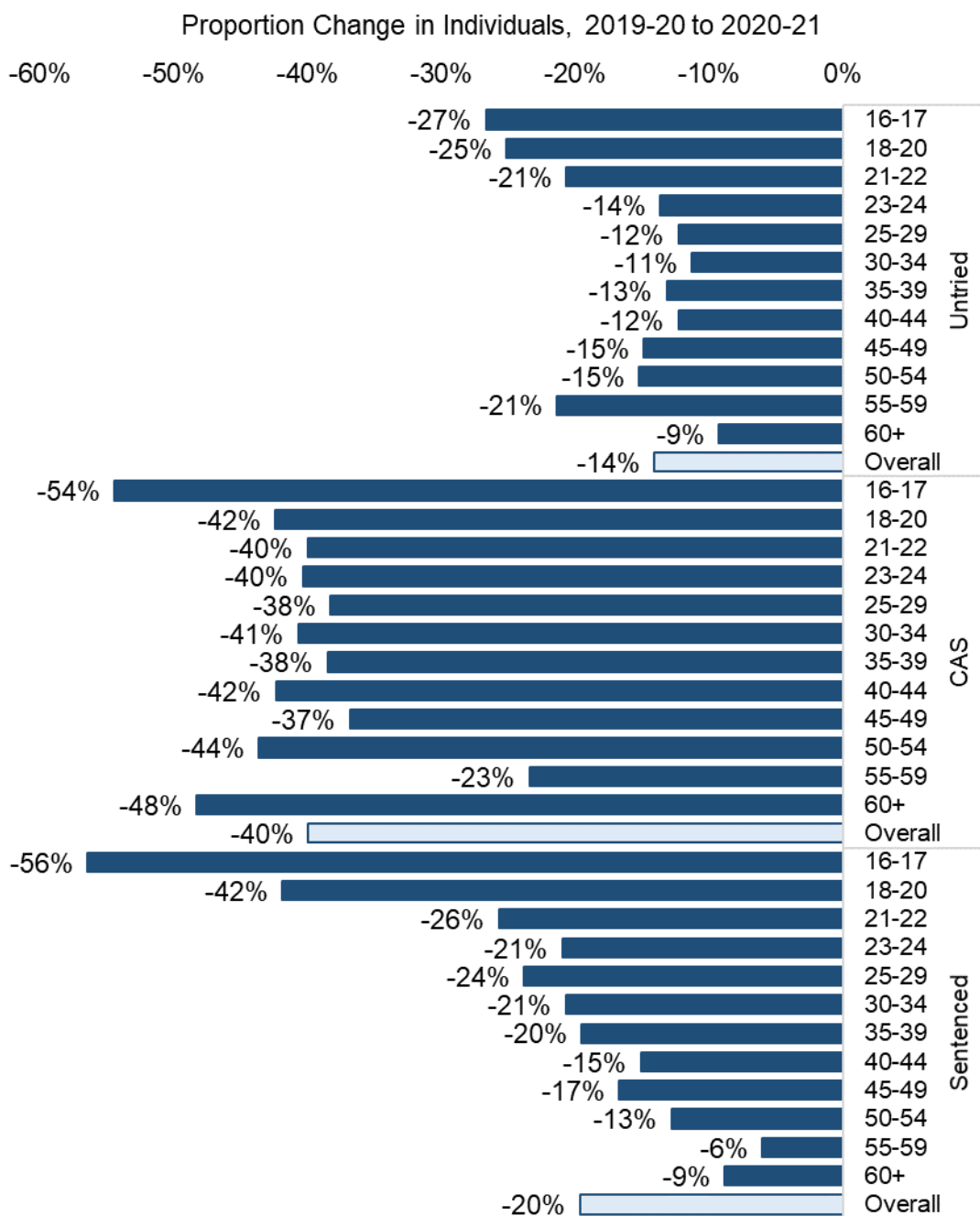
In terms of a proportion of individuals (i.e. independent of the reduced volume overall), the proportion aged 35 or older increased marginally, while people in younger age groups decreased as a share of imprisoned individuals.

---

<sup>25</sup> Scottish Prison Population Statistics: Legal Status 2019-20, Section 2.1.2  
<https://www.gov.scot/publications/scottish-prison-population-statistics-legal-status-2019-20/pages/5/>

<sup>26</sup> Scottish prison population: statistics 2019 to 2020, Section 2.1  
<https://www.gov.scot/publications/scottish-prison-population-statistics-2019-20/pages/4/>

**Figure 16: Change in number of individuals experiencing imprisonment by legal status and age, 2019-20 to 2020-21**



### 4.3 Ethnicity

[Supplementary tables B3]

Individuals identifying as White continued to comprise the largest ethnic group within those experiencing imprisonment in 2020-21 (95%)<sup>27</sup>.

<sup>27</sup> Technical Manual: Ethnicity, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/analytical-factors-and-measurements/#Ethnicity>

There was a reduction in the number of individuals experiencing imprisonment across all ethnic groups, but little change to the proportion of individuals each ethnic group represented between 2019-20 and 2020-21.

In line with the reduced number of individuals experiencing imprisonment, the rate of imprisonment for each ethnic group reduced by a small amount from 2019-20 to 2020-21. Compared with the White group (3.14 per 1,000), this rate remains somewhat higher among African, Caribbean or Black group (6.27 per 1,000) and the Other ethnic group (5.8 per 1,000), and somewhat lower for the Asian group (2.34 per 1,000)<sup>28</sup>.

Ethnic groupings have been aggregated in this report, which is likely to mask variations within each group. Disaggregation of prisoner ethnicity data is currently being pursued for future analyses.

#### **4.4 Other individual level characteristics**

Statistics on other available protected characteristics (disability, sexual orientation, and marital status) and armed forces history are provided in the Supplementary Tables B4-7 accompanying this publication.

---

<sup>28</sup> More information about the derivation of these rates is provided in the Technical Manual: Comparator population rates, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/analytical-factors-and-measurements/#Comparator%20population%20rates>

# 5 Population In-Flows

## 5.1 Arrivals to prison

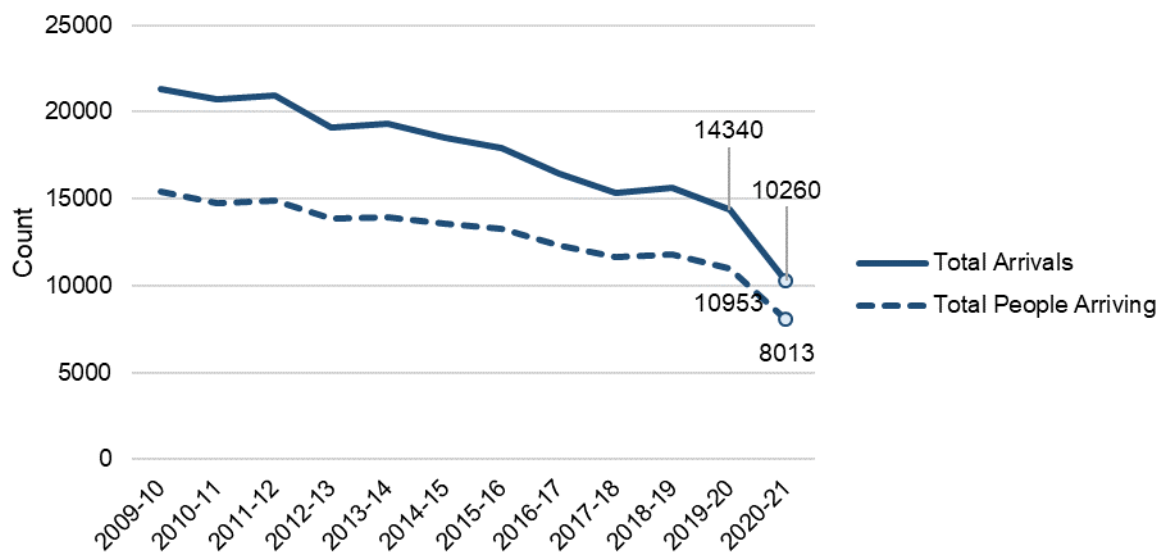
[Supplementary Table C1]

An arrival<sup>29</sup> is where a period of imprisonment begins for an individual, and is only counted as such if the arrival occurred on a separate day from any previous departure for that individual. Individuals can arrive to custody more than once in a given year and so a single individual may be counted more than once when analysing arrivals.

As per the patterns observed for the average daily population and the number of individuals spending time in custody, the number of arrivals to custody was considerably lower in 2020-21 compared to 2019-20. There were 10,260 arrivals to custody in 2020-21, compared to 14,340 in 2019-20 - a reduction of around 28%.

Again, while the number of arrivals to custody has fallen year-on-year since 2009-10, this is a larger single year reduction than previously observed (see Figure 17).

**Figure 17: Number of arrivals, and unique individuals arriving, 2009-10 to 2020-21**



## 5.2 Arrivals by legal status

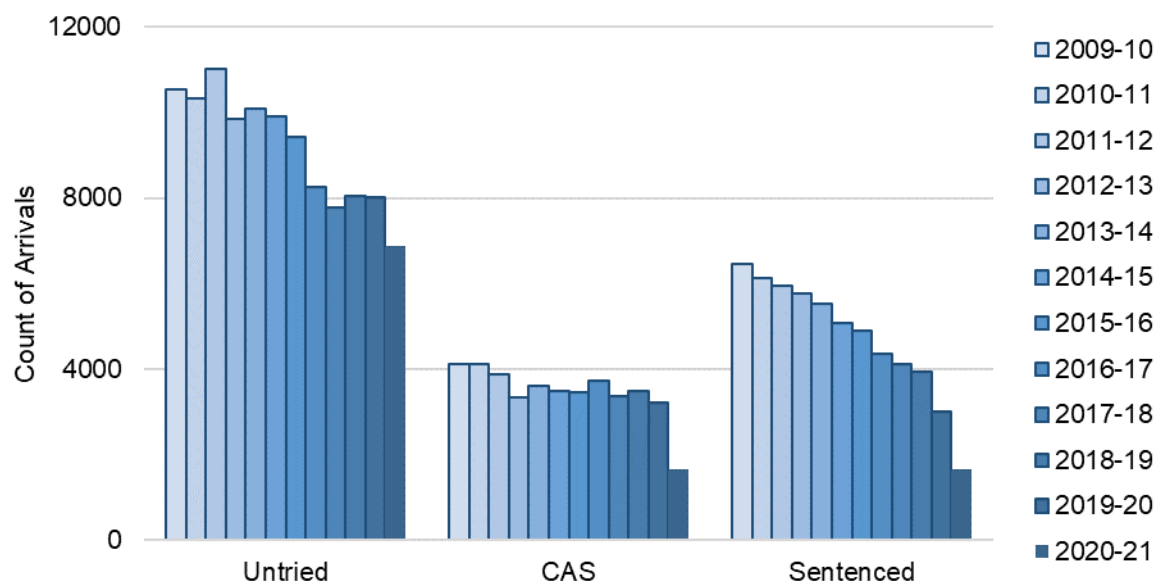
[Supplementary Table O1]

Arrivals fell 28% overall in 2020-21, but the extent of the reduction varied across all legal status categories<sup>30</sup> (see Figure 18).

<sup>29</sup> Technical Manual: Arrival, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/analytical-factors-and-measurements/#Arrival>

<sup>30</sup> Technical Manual: Legal Status, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/analytical-factors-and-measurements/#Legal%20status>

**Figure 18: Arrivals by Legal Status**



Reflecting the Covid impacts on the operation of the justice system (see Section 1.1), convicted awaiting sentence and sentenced arrivals fell considerably between 2019-20 and 2020-21 – by 49% (3,229 to 1,657) and 45% (3,011 to 1,660) respectively. Untried arrivals fell over the same time period, but to a lesser extent – 14% from 8,003 to 6,873.

Untried arrivals accounted for 67% of all arrivals to prison in 2020-21, compared to 56% in 2019-20.

### 5.3 Arrivals by local authority

[Supplementary tables C2]

Arrivals to prison reduced across all local authority areas between 2019-20 and 2020-21. In line with this change, the rate of arrival also decreased across all local authorities in 2020-21, from 2.5 to 1.8 per 1,000 head of population<sup>31</sup>.

Dundee City retained the highest rate of arrival at 3.3 per 1000 population, down from 4.5 per 1,000 in 2019-20.

### 5.4 Arrivals by deprivation

[Supplementary tables C3]

There was no change to the previously reported pattern of arrivals to prison being most likely from the 10% most deprived areas of Scotland<sup>32</sup>. The 10% most deprived areas of Scotland accounted for 34% of all arrivals to prison in 2020-21.

<sup>31</sup> More information about the derivation of these rates is provided in the Technical Manual: Comparator population rates, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/analytical-factors-and-measurements/#Comparator%20population%20rates>

<sup>32</sup> Scottish prison population: statistics 2019 to 2020, Section 3.3, <https://www.gov.scot/publications/scottish-prison-population-statistics-2019-20/pages/5/>

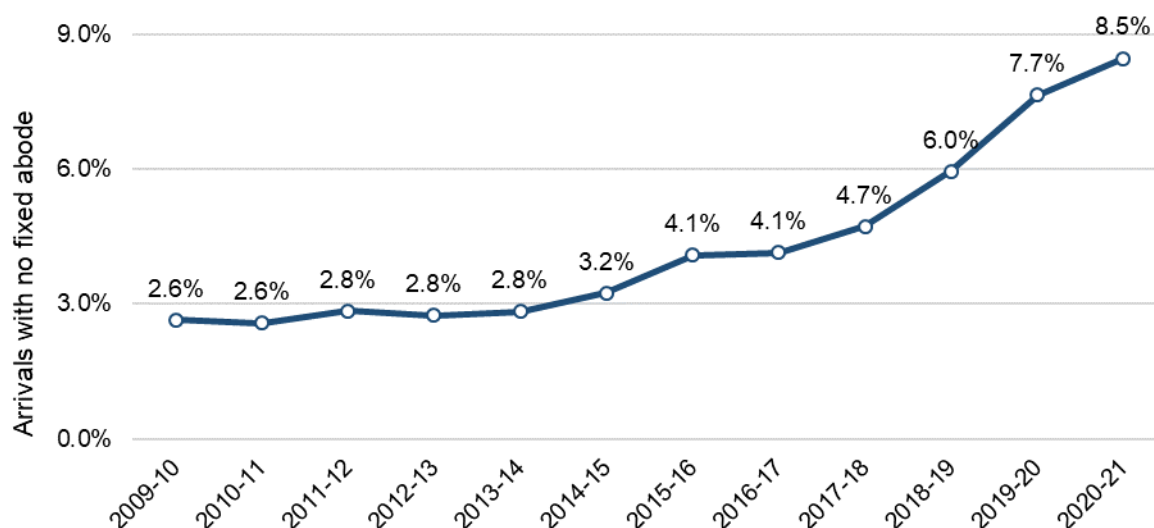


## 5.5 Arrivals by no fixed abode

[Supplementary tables C4]

In 2020-21, 8.5% of arrivals to prison were individuals registered as of no fixed abode<sup>33</sup>. While the absolute number fell between 2019-20 and 2020-21 (from 1,098 to 869), this is the highest proportion recorded (see Figure 19).

**Figure 19: Proportion of arrivals of individuals with no fixed abode continues to increase**



## 5.6 Arrivals by offence group

[Supplementary tables O6]

In 2020-21, arrivals to prison fell by 28% overall. This reduced arrivals across all offence groups<sup>34</sup> in 2020-21, albeit the extent of the reduction varied.

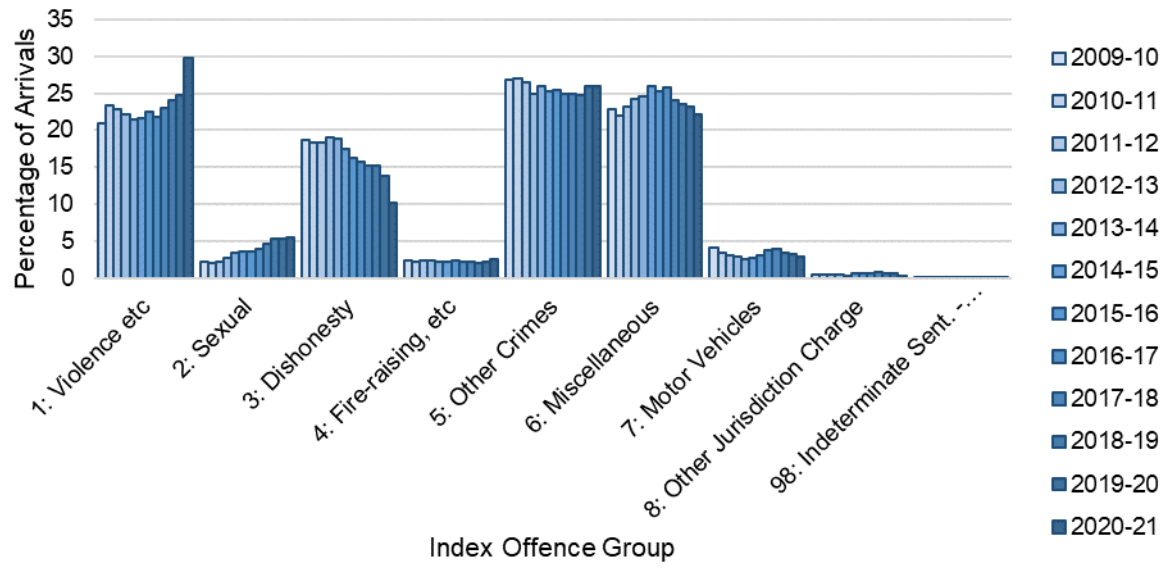
Arrivals for group 3 dishonesty offences fell by 47% between 2019-20 and 2020-21, from 1,998 to 1,050. Arrivals for group 5 Other crimes and group 6 miscellaneous offences fell by 28% (3,712 to 2,660) and 32% (3,320 to 2,265) respectively. Arrivals for group 2 sexual offences fell by 26% from 756 to 561 over the same time period – slightly less than the change to arrivals overall. The proportionate reduction in arrivals for group 1 non-sexual crimes of violence was much smaller at 14% (3,557 to 3,050).

Reflecting these variations in reduction, the ‘share’ of arrivals increased to 30% for group 1 non-sexual crimes of violence in 2020-21, compared to 25% in 2019-20. Group 1 non-sexual crimes of violence accounted for the single highest proportion of arrivals in 2020-21. These proportionate changes are shown in Figure 20.

<sup>33</sup> Technical Manual: No fixed abode, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/analytical-factors-and-measurements/#Of%20no%20fixed%20abode>

<sup>34</sup> Technical Manual: Index offence group, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/analytical-factors-and-measurements/#Index%20offence%20group>

**Figure 20: Proportion of arrivals by Index Offence Groups, 2009-10 to 2020-21**



## 6 Population Transitions and Out-Flows

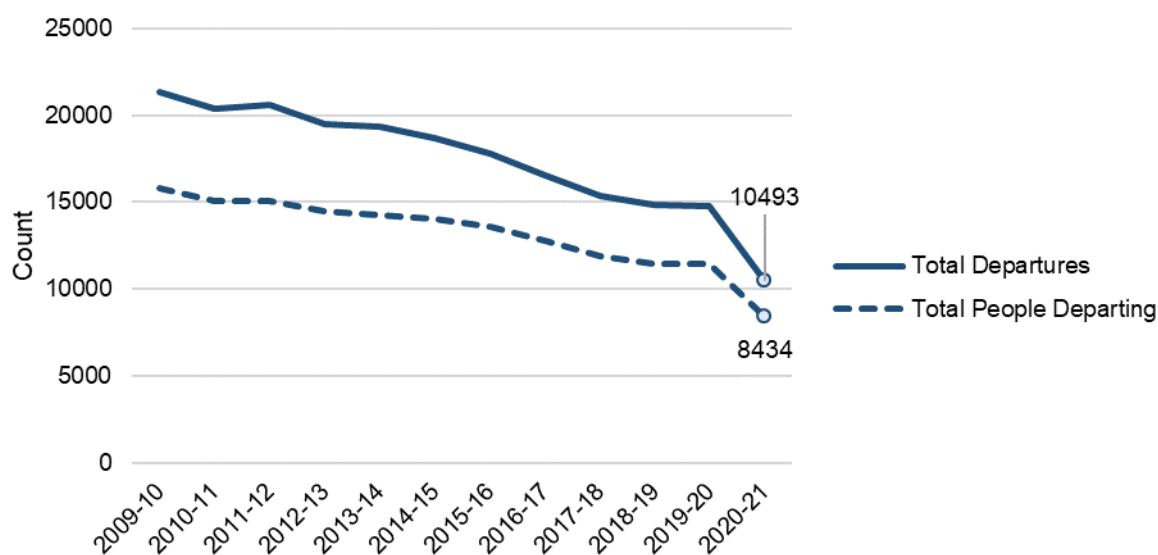
This section of the report examines transitions within, and departures from, custody in the reporting year. Quantification of population flows are provided, as well as an examination of custodial ‘journeys’ by legal status. Individuals can enter custody with any one of the legal statuses (untried, convicted awaiting sentence, or sentenced), and may transition through other statuses before departing<sup>35</sup>. For the custodial ‘journeys’ captured in the Cellwise data, it is possible to measure and report overall time in custody, as well as time spent with a remand status. Where available, the reasons for an individuals’ liberation is provided in section 6.4.

### 6.1 Departures and transitions

[Supplementary Tables C1 & O2]

There were 10,493 departures<sup>36</sup> from prison in 2020-21, a decrease of 29% from 2019-20. Accounting for multiple departures per person, 8,434 individuals departed prison one or more times in 2020-21 – a decrease of 26% (see Figure 21).

**Figure 21: Number of departures, and unique individuals departing, fell over 2009-10 to 2020-21**



<sup>35</sup> For more information see the Technical Manual: Legal Status Hierarchy, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/cellwise-data-construction/#Legal%20status%20heirarchy>

Section 7.1 provides detail of the reverse transitions in 2020-21.

<sup>36</sup> Technical Manual: Departure, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/analytical-factors-and-measurements/#Departure>

Of all departures<sup>37</sup>, 4,489 (43%) were from remand and 5,942 (57%) were sentenced. While the overall volume of departures is considerably lower than in 2019-20 (31% and 27% lower respectively), the proportion of departures from remand and sentenced is broadly similar in both reporting years (45% and 55% respectively in 2019-20).

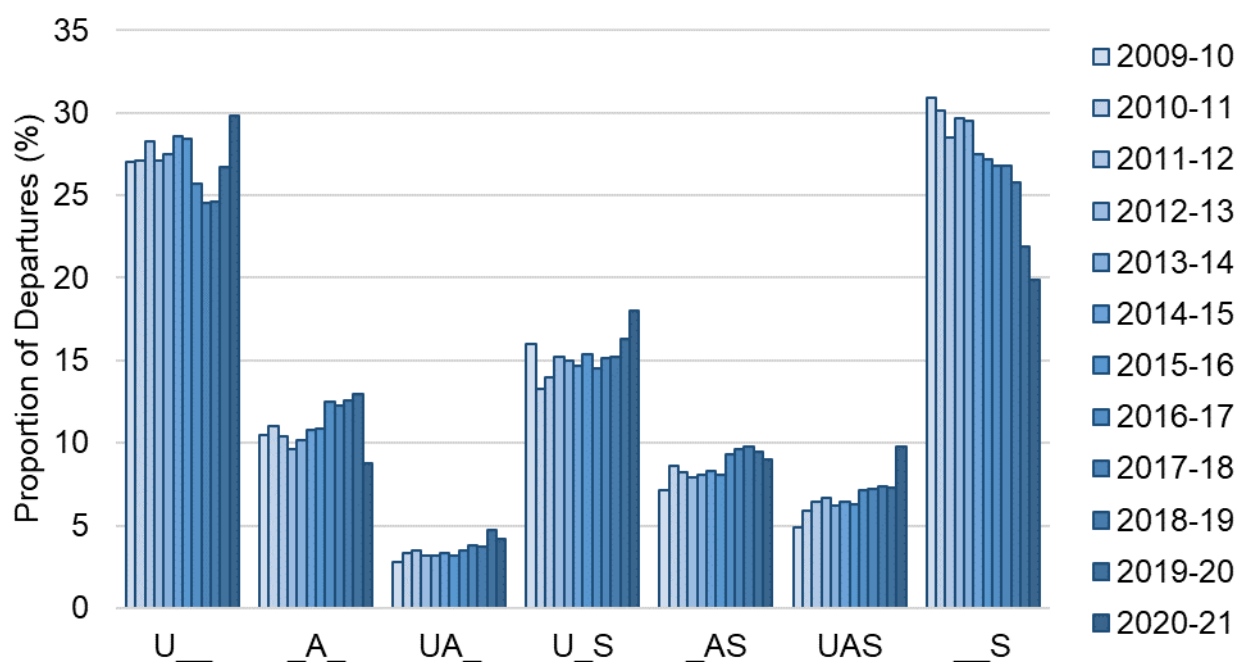
There were 3,445 transitions from remand to sentenced status in 2020-21, around 31% less than in 2019-20 (4,966)<sup>38</sup>.

## 6.2 Custodial journeys

[Supplementary Tables C1 & O2]

Looking at the detail behind the reduction in departures reported in 6.1, the number of custodial journeys captured in the 2020-21 data reduced across all journey types. Given the 26% overall reduction in departures, Figure 22 provides the proportion of journeys by type to clarify the change in profile of custodial journeys ending in 2020-21 compared with previous years<sup>39</sup>.

**Figure 22: Departures by Journey Type**



There were increases in the proportion of journeys characterised as Untried only (U\_\_ - 27% to 30%), Untried then Sentenced (U\_S - 16% to 18%), and Untried, Convicted Awaiting Sentenced then Sentenced (UAS - 7% to 10%).

<sup>37</sup> A small number of departures have missing values for legal status at time of departure. The sum of labelled departures (e.g. remand plus sentenced) will therefore be different to the sum of all departures above (10,431 rather than 10,493)

<sup>38</sup> Technical Manual: Status transitions, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/analytical-factors-and-measurements/#Status%20transition>

<sup>39</sup> Technical Manual: Journey type, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/analytical-factors-and-measurements/#Journey%20type>

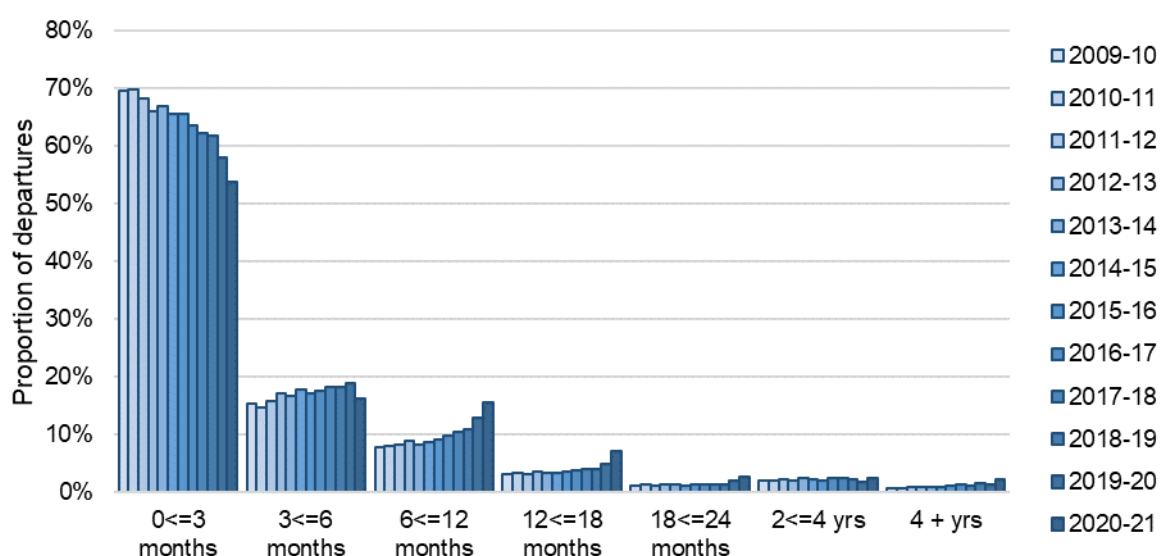
CAS-only journeys fell from 13% to 9% as a proportion of departures, and Untried then CAS journeys from 4.7 to 4.2%.

### 6.3 Time in custody

[Supplementary tables D2]

The mean total duration of an occupancy period in custody increased steadily from 122 days in 2009-10 to 168.8 in 2019-20<sup>40</sup>. This jumped by 47 days in 2020-21 to 216 days on average. This increase appears to have been driven by a rapid reduction in the short occupancy periods which were the norm in previous years, as shown in Figure 23. Continuous periods in custody of up to 6 months comprised 85% of all occupancy periods ending in 2009-10 and 77% in 2019-20, but just 70% in 2020-21.

**Figure 23: Banded time in custody at departure**



#### 6.3.1 Time on remand

[Supplementary tables O2]

We can measure time on remand when an individual departs custody without a sentencing warrant in that occupancy period, or when they transition from a remand status to the sentenced population<sup>41</sup>.

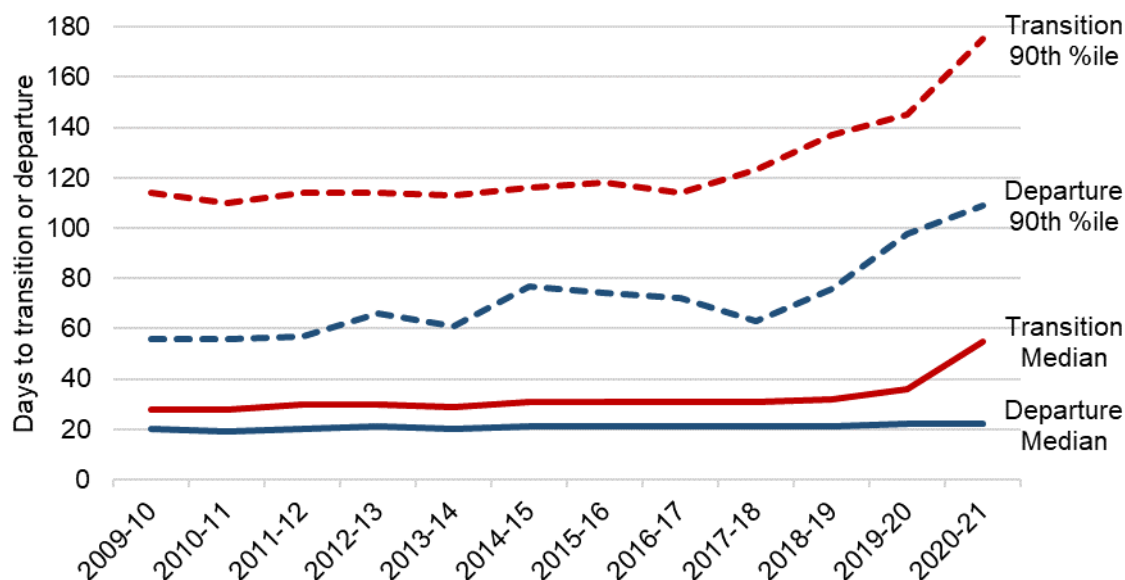
As shown in Figure 24, between 2019-20 and 2020-21 the median time taken for an individual to depart custody from remand remained approximately the same. The median number of days to departure from remand was 22 days in both reporting years. However, while in 2019-20 90% of remand departures had occurred with 98 days, in 2020-21 this rose to 109 days. This continued an ongoing rising trend in time to departure.

<sup>40</sup> Technical Manual: Time to departure, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/analytical-factors-and-measurements/#Time%20to%20Departure>

<sup>41</sup> Technical Manual: Time on remand, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/analytical-factors-and-measurements/#Time%20on%20remand>

The time taken to transition from a remand status to the sentenced population also increased in 2020-21. The median number of days to transition in 2019-20 was 36, whereas in 2020-21 this rose steeply to 55. In 2019-20, 90% of transitions occurred within 145 days but in 2020-21 this had risen to 175 days. Again this represents a continuation of an already rising trend.

**Figure 24: Days on remand by destination – transition to the sentenced population or departure to the community – median and 90<sup>th</sup> percentile days**



Previous statistical releases<sup>42</sup> have explored the distribution of days spent on remand for all remand only journeys. In 2020-21, although remand only journeys of all lengths fell in number, the proportion share across duration bands remained broadly similar to 2019-20. The proportion of remand journeys lasting up to 7 days remained at 22% in both reporting years. The proportion of remand journeys lasting more than 140 days rose from 5% in 2019-20 to 7% in 2020-21.

## 6.4 Liberations

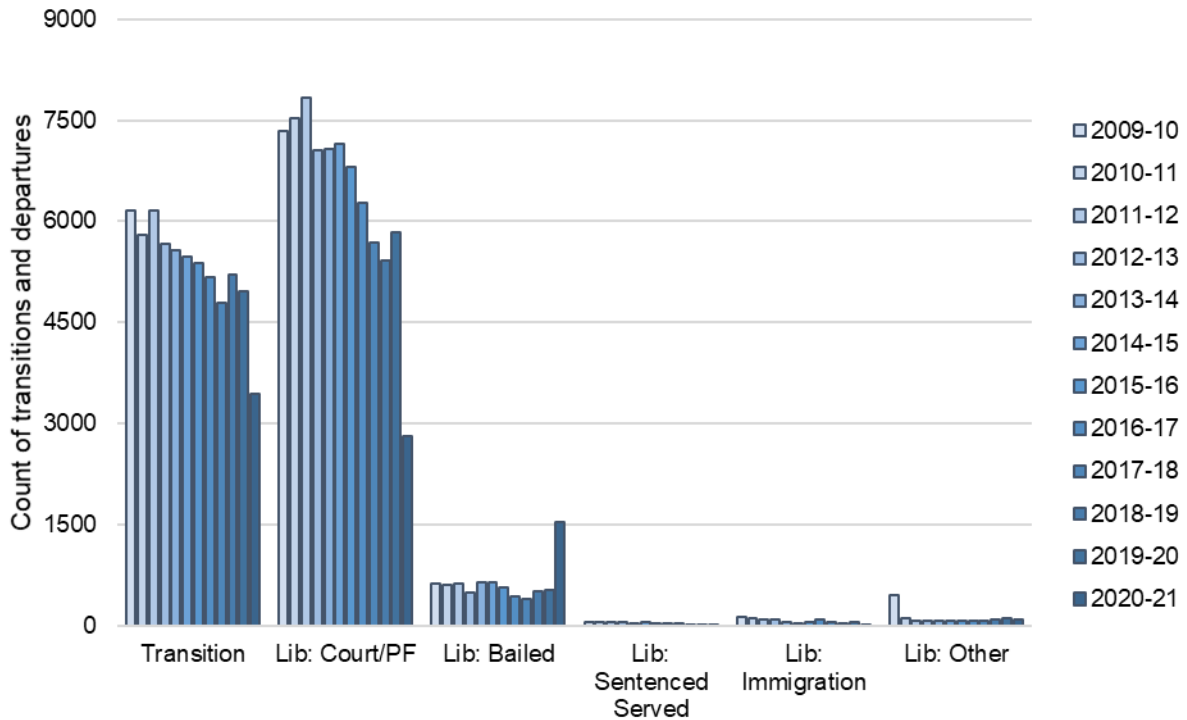
### 6.4.1 Liberations from remand

[Supplementary tables O4]

As discussed in section 6.1, the volume of transitions and departures from remand fell 31% overall in 2020-21. Reflecting this, the overall volume of recorded liberation types also fell. However this fall was driven entirely by the 52% fall in court or procurator fiscal liberations from 5,832 to 2,811 (a likely reflection of the Covid impacts detailed in section 1.1). By contrast, the number of liberations to bail increased significantly in the first year of the pandemic. In 2019-20, 530 remand departures were liberated to bail, but in 2020-21 this increased almost threefold to 1,548 (Figure 25).

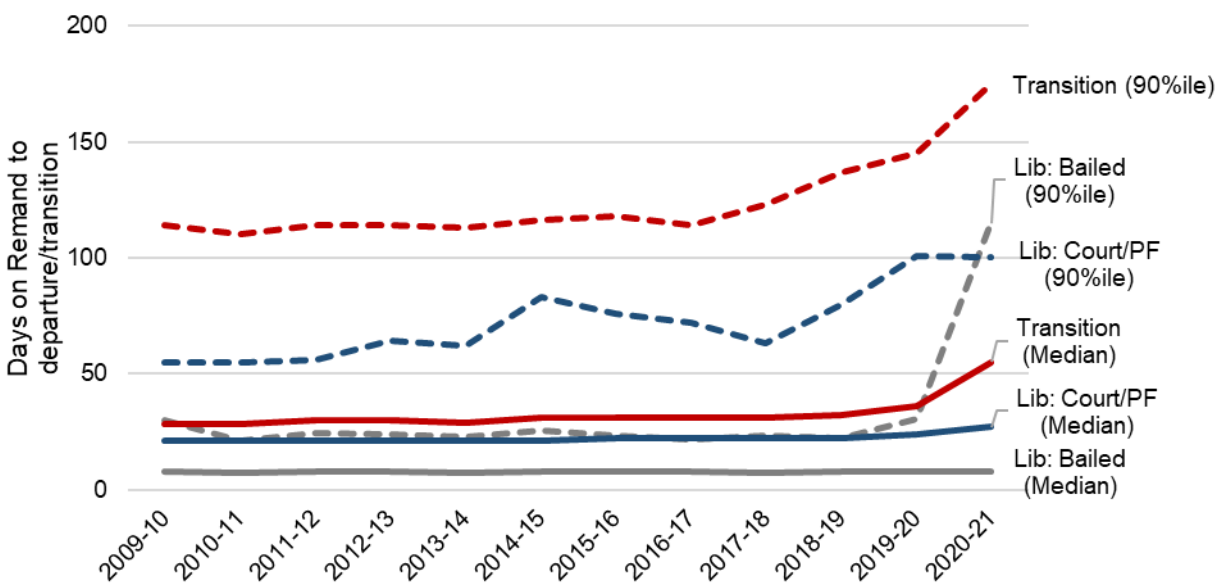
<sup>42</sup> Scottish Prison Population Statistics: Legal Status, 2019-20, Section 4.3  
<https://www.gov.scot/publications/scottish-prison-population-statistics-legal-status-2019-20/pages/7/>

**Figure 25: Number of transitions and departures from remand by liberation type**



The time to departure varies depending on the type of liberation. Figure 26 shows the median and 90<sup>th</sup> percentile days on remand by liberation type. The increase in liberations to bail is of particular interest here, with the median time to liberation remaining constant between 2019-20 and 2020-21. However, 10% of those liberated to bail remained in custody for 115 days or more in 2020-21, compared with just 31 days or more in 2019-20. As reported above, in the same period, the time to transition from remand to the sentenced population increased from 36 to 55 days on average.

**Figure 26: Days on remand for transitions to the sentenced population and departures by liberation type, median and 90<sup>th</sup> percentile**

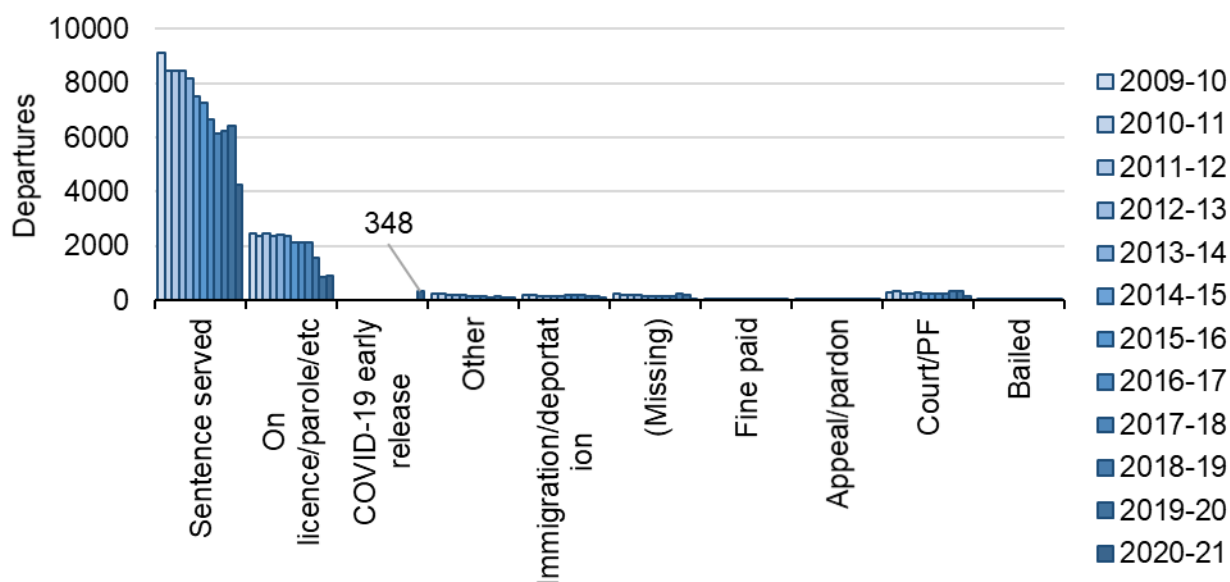


## 6.4.2 Sentenced liberations

[Supplementary tables O4]

As above, the overall volume of sentenced departures fell in 2020-21. This is reflected in the recorded liberation types<sup>43</sup> for sentenced departures shown in Figure 27 below.

**Figure 27: Number of departures from sentenced status by liberation type**



Liberations recorded as 'sentence served' fell by 34% in 2020-21, from 6,418 in 2019-20 to 4,240. Liberations to the court or procurator fiscal more than halved, falling from 332 to 120 over the same time period. However, liberations to conditional release (on licence, parole or home detention curfew) rose by a small amount (+5% from 861 in 2019-20 to 906 in 2020-21). There was also an increase in liberations to bail, from 26 in 2019-20 to 71 in 2020-21. This liberation type, associated with remand prisoners, gives further indication of individuals moving from sentenced to remand prior to departure, as discussed in section 7.1.

A new liberation type has been created to capture the early release of eligible short-term sentenced prisoners during 2020-21. Under emergency legislation introduced at the beginning of the Covid pandemic<sup>44</sup>, 348 prisoners were released.

<sup>43</sup> Technical Manual: Liberation type, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/analytical-factors-and-measurements/#Liberation%C2%A0type>

<sup>44</sup> The Release of Prisoners (Coronavirus) (Scotland) Regulations 2020, <https://www.legislation.gov.uk/ssi/2020/138/contents/made>



## 7 Source Comparison

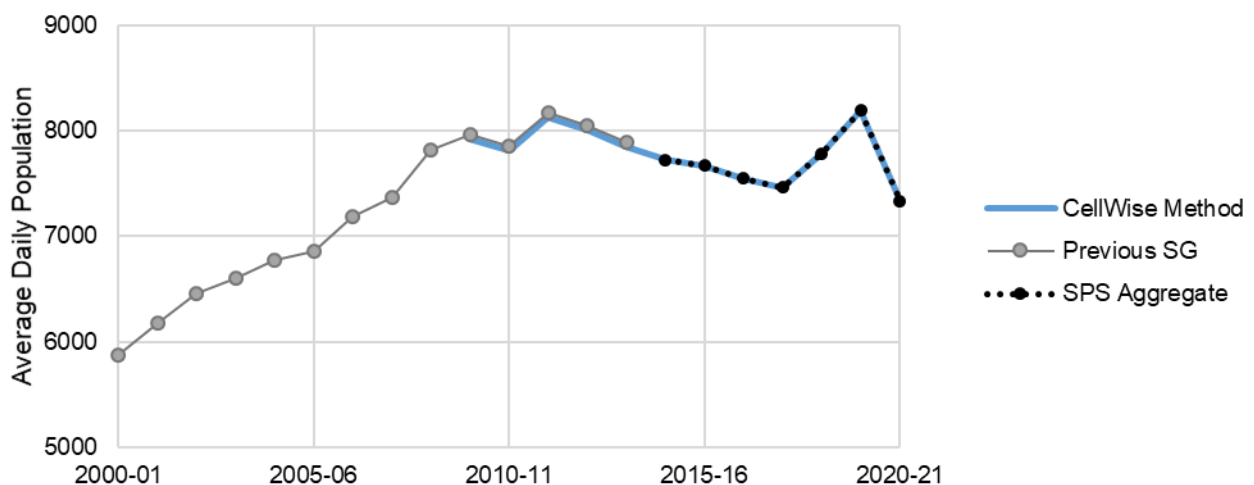
The cellwise data on which this publication is based is substantially different from other sources of information about the prison population – the preceding statistical publications from Scottish Government (up to 2013-14)<sup>45</sup>, the management information snapshots taken throughout the pandemic period published as monthly reports by Scottish Government<sup>46</sup>, and the aggregate information produced by the Scottish Prison Service<sup>47</sup>.

The major points of difference lie in the average distribution between legal statuses, and the inability in the cellwise data to determine overall sentence lengths. In spite of this, as demonstrated in Figure 28, the estimate of the overall prison population are closely aligned across the three annual sources:

- across the 5 years where the previous Official Statistics overlap, the cellwise estimate is slightly lower by between 0.4 and 0.6%
- across the 6 years where the SPS aggregation overlaps (at the time of writing), the cellwise estimate is within  $\pm 0.01\%$

This provides us a very high level of confidence in using the cellwise data to describe the occupancy and characteristics of people in Scottish prisons.

**Figure 28: Comparison of sources for the overall prison population estimation show close alignment**



Further disaggregated population group changes are provided in Supplementary Table A2.

<sup>45</sup> Historic publications are still available on the Scottish Government website:  
<https://www.gov.scot/collections/scottish-prison-population-statistics/>

<sup>46</sup> Monthly reports from June 2020 to March 2022:  
<https://www.gov.scot/collections/coronavirus-covid-19-justice-analytical-services-data-report/>

<sup>47</sup> Annual aggregates and weekly snapshot information:  
<https://www.sps.gov.uk/Corporate/Information/SPSPopulation.aspx>

## 7.1 Legal status discrepancies

Due to the lack of consistent information retained on PR2 about the end point of periods spent in prison serving a sentence, prisoners who return to the remand population immediately after a sentence is served continue to be counted as sentenced for the purpose of their on-going Occupancy Period. This aspect of the data construction is explained in further detail in the accompanying technical manual<sup>48</sup>.

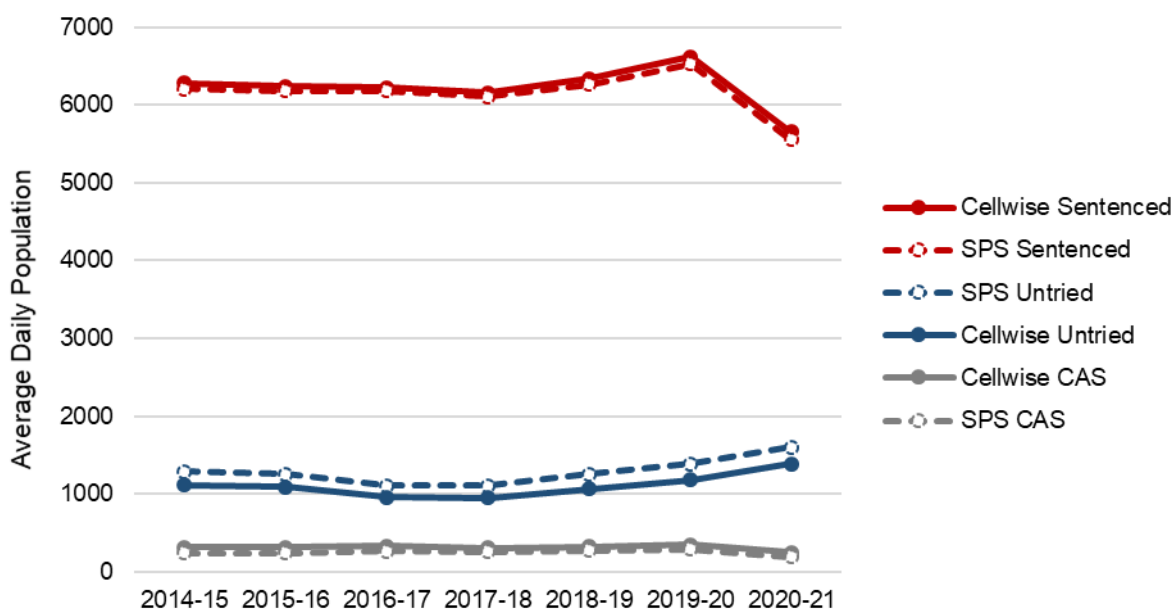
Based on the snapshots collected as part of the prison population monitoring project initiated at the start of the pandemic, there were 661 such retrograde transitions (from sentenced to remand) in the course of 2020-21. In addition there were a further 128 transitions from CAS to Untried in the same period. All such transitions are not detected in the cellwise data construction.

This leads to the following effects when comparing the Cellwise and SPS aggregate estimates of legal status populations over the 6 intersecting years:

- Underestimate of the average daily Untried population by 150-200, or approximately 15%
- Over-estimate of the average daily Convicted Awaiting Sentence population by 50-80, or 18-30%
- Over-estimate of the average daily Sentenced population by 40-90, or around 1%

These differences over time are provided in Figure 29:

**Figure 29: Comparison of sources of population estimates by legal status**



<sup>48</sup> Technical Manual: Legal Status Hierarchy, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/cellwise-data-construction/#Legal%20status%20heirarchy>

## 7.2 Sentence length ambiguity

Throughout this report, where mentioned, the sentence length of prisoners is their Index sentence length<sup>49</sup>. There is currently no conflicting published source on the sentence distribution of prisoners. However, live information drawn from the PR2 system can provide the *overall sentence length* for each individual person in prison when the snapshot is taken. Cellwise cannot use this information, which is over-written on PR2 when it is amended or updated.

Information about sentence length drawn from the Cellwise data will therefore always explicitly reference *Index Sentence length* – that length of the longest determinate sentence applied in the course of an Occupancy Period.

This information cannot be used to divide the population into “long-term” and “short-term prisoners” (those serving an *overall* sentence of less than 4 years). Live (or daily aggregated) information is required for this population segmentation.

A comparison of index sentence length and overall sentence length is provided in the Technical Manual for 2013-14, the latest year when the previous Official Statistics publication and cellwise data were both available<sup>50</sup>.

---

<sup>49</sup> Technical Manual: Index Sentence derivation, <https://www.gov.scot/publications/scottish-prison-population-statistics/pages/cellwise-data-construction/#index-sentence-derivation>

<sup>50</sup> *Ibid.*

## 8 Context and supplementary information

Previous publications have provided a high level summary of the changes occurring in characteristics of the prison population. These included a reduction in the numbers of individuals spending time in custody year on year, but a growth in the daily prison population from 2017-18 that appeared to be driven by increases in the time served in custody.

This publication builds on the information provided in July 2020 (and April 2021). With that in mind, we re-iterate the explanation for the trends documented in the 2019-20 releases as the key context in which the findings from this publication should be viewed<sup>51</sup>, in addition to the pandemic effects described:

“The changes described [in this publication] may reflect the multitude of legislative and policy changes implemented across the wider criminal justice system in recent years. The data presented here cannot attest to the impact of these on their own, but the context is important to consider in interpreting the patterns above.

For example, in terms of sentencing, the presumption against short term prison sentences was introduced in 2011, and extended to include custodial sentences of 12 months or less in 2019, with the aim of reducing ineffective use of custody and encourage community based sentences addressing offending and rehabilitation. Changes in sentencing practices over time are observed in the Criminal Proceedings in Scotland 2018-19 report<sup>52</sup>, with a steady increase in custodial sentences of more than one year.

Changes to release arrangements can impact the prison population. Automatic early release for longer term prisoners ended in 2015 and use of home detention curfew for short term prisoners<sup>53</sup> was substantially reduced in 2018. Audit Scotland have also highlighted the stretching of financial resources and staff due to rising prisoner numbers as adversely affecting re-offending/rehabilitation programme completion and preventing prisoners from qualifying for release on parole.<sup>54</sup>

Scottish Government Justice Analytical Services provide ongoing monitoring and modelling of change within the justice system. Recent analysis<sup>55</sup> suggests that the above factors, in combination with historical improvements in clear-up and conviction rates, have impacted on the size and nature of the prison population.

---

<sup>51</sup> Scottish prison population: statistics 2019 to 2020, Section 5.1  
<https://www.gov.scot/publications/scottish-prison-population-statistics-2019-20/>

<sup>52</sup> Criminal proceedings in Scotland: 2018-2019, <https://www.gov.scot/publications/criminal-proceedings-scotland-2018-19/>

<sup>53</sup> Defined as those serving a sentence of less than 4 years. More information on HDC is available on the SPS website: <https://www.sps.gov.uk/Corporate/Information/HomeDetentionCurfew.aspx>

<sup>54</sup> Audit Scotland (2019) [https://www.audit-scotland.gov.uk/uploads/docs/report/2019/s22\\_190912\\_sps.pdf](https://www.audit-scotland.gov.uk/uploads/docs/report/2019/s22_190912_sps.pdf)

<sup>55</sup> See Conlong (2019), available in addendum here:  
[https://www.parliament.scot/S5\\_Public\\_Audit/General%20Documents/SG\\_SPS\\_20191216.pdf](https://www.parliament.scot/S5_Public_Audit/General%20Documents/SG_SPS_20191216.pdf)

However, modelling change also suggests that shifts in [the prison] populations may reflect changes in the nature of offending coming to the attention of justice agencies, whether through shifting social norms and values and/or direct changes to legislation on criminal offences. The most recent Criminal Proceedings in Scotland 2018-19 release points to substantial rises in convictions for sexual offences (including rape and attempted rape) where the imposition of custodial sentences is highly likely<sup>56</sup>.”

## **Other sources of information on the Scottish prison population**

The Scottish Prison Service (SPS) publish a range of statistical information and research reports about the prison population on their website. Weekly population snapshots and annual averages of the prison population broken down by custody type, gender and age, as well as the population on home detention curfew by gender can be found on the SPS website: <https://www.sps.gov.uk/Corporate/Information/SPSPopulation.aspx>.

For the SPS Prisoner Survey and other research reports:

<https://www.sps.gov.uk/Corporate/Publications/Publications.aspx>

The Scottish Government produces a range of statistics on the criminal justice system. Those referenced in this publication include information about recorded crime rates (<https://www.gov.scot/collections/recorded-crime-in-scotland/>) and criminal proceedings statistics (<https://www.gov.scot/collections/criminal-proceedings-in-scotland/>)

In addition, from June 2020 and thereafter throughout the pandemic period, Scottish Government Justice Analytical Services published a monthly data report with the latest available information from across the justice system<sup>57</sup>. This includes information about monthly populations and about the alleged offences of people arriving on remand. These data are not directly comparable with the statistics presented in this report, as they are derived from collected daily snapshots rather than by the cellwise data construction. Furthermore, they are based on live information and have not been passed through the quality assurance applied to cellwise statistics.

---

<sup>56</sup> See also Recorded Crime in Scotland 2018-19 for further context: <https://www.gov.scot/publications/recorded-crime-scotland-2018-19/>

<sup>57</sup> Coronavirus (COVID-19): Justice Analytical Services data report collection, <https://www.gov.scot/collections/coronavirus-covid-19-justice-analytical-services-data-report/>

## **An Official Statistics publication for Scotland**

Official and National Statistics are produced to high professional standards set out in the Code of Practice for Official Statistics. Both undergo regular quality assurance reviews to ensure that they meet customer needs and are produced free from any political interference.

### **Correspondence and enquiries**

For enquiries about this publication please contact:

Justice Analytical Services,

E-mail: [Justice\\_Analysts@gov.scot](mailto:Justice_Analysts@gov.scot)

For general enquiries about Scottish Government statistics please contact:

Office of the Chief Statistician, Telephone: 0131 244 0442,

E-mail: [statistics.enquiries@scotland.gsi.gov.uk](mailto:statistics.enquiries@scotland.gsi.gov.uk)

### **How to access background or source data**

The data collected for this <statistical bulletin / social research publication>:

are available in more detail through Scottish Neighbourhood Statistics

are available via an alternative route <https://scotland.shinyapps.io/sg-prison-population-statistics/>

may be made available on request, subject to consideration of legal and ethical factors. Please contact <email address> for further information.

cannot be made available by Scottish Government for further analysis as Scottish Government is not the data controller.

### **Complaints and suggestions**

If you are not satisfied with our service or have any comments or suggestions, please write to the Chief Statistician, 3WR, St Andrews House, Edinburgh, EH1 3DG, Telephone: (0131) 244 0302, e-mail [statistics.enquiries@scotland.gsi.gov.uk](mailto:statistics.enquiries@scotland.gsi.gov.uk).

If you would like to be consulted about statistical collections or receive notification of publications, please register your interest at [www.gov.scot/scotstat](http://www.gov.scot/scotstat)  
Details of forthcoming publications can be found at [www.gov.scot/statistics](http://www.gov.scot/statistics)

ISBN 978-1-80435-655-5 (web only)

### **Crown Copyright**

You may use or re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. See: [www.nationalarchives.gov.uk/doc/open-government-licence/](http://www.nationalarchives.gov.uk/doc/open-government-licence/)

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA  
PPDAS1100442 (06/22)