

House of Commons: Written Statement (HCWS29)

Ministry of Justice

Written Statement made by: **The Parliamentary Under-Secretary of State for Justice, Minister for Prisons, Probation and Rehabilitation (Andrew Selous)** on 11 Jun 2015.

NOMS accounts - explanatory note

I wish to apologise to the House on behalf of the Ministry of Justice following the provision of misleading information to members. In its annual accounts to be published today, the National Offender Management Service (NOMS) is releasing amended data for prison crowding. It has become apparent that crowding figures previously published in the NOMS Annual Report, and doubling figures published in the Prison Performance Digest, have understated the level of crowding in each year back to 2008/2009.

These incorrect figures have in turn informed public statements from the Ministry of Justice, including statements to Parliament.

There are two measures of prison estate capacity: (i) certified normal accommodation (CNA), also known as the uncrowded capacity, which refers to the number of prisoners that cells, cubicles or rooms were originally designed to hold, and (ii) operational capacity, which is the number of prisoners a prison has been assessed as capable of holding, taking into account regime facilities and the requirement to maintain order and control. Crowding means, for example, that two prisoners may be sharing a cell originally designed for one. All prisons' regimes, facilities and staffing are structured to provide for the total number of prisoners within it and NOMS will only crowd where it has been assessed as safe and decent to do so.

Errors in the published figures, used to provide parliamentary answers, were due to misinterpretation on the part of some prisons, which reported the number of prisoners held in excess of the number that cells were designed to hold (CNA), rather than the number of prisoners affected by crowding. In instances where two prisoners were held in a cell designed for one, both prisoners should be counted as being in crowded conditions. Some prisons, however, were only counting the additional prisoner.

The public should rightly expect this information to be accurate. Publication of clear, reliable figures on how many prisoners we hold in crowded conditions is an important part of making sure **we can be held to account**. It is therefore unacceptable that these incorrect figures have been published over the last six years and that these errors were not identified sooner. Since discovering these errors, we have taken urgent steps to ensure that figures will in future be subjected to rigorous quality control.

The attached table shows updated national figures for crowding, which is measured as the percentage of prisoners who are held in a cell, cubicle or room where the number of occupants exceeds the uncrowded capacity of the cell, cubicle or room from 2008/09 to 2014/15. The table also contains amended data on the level of doubling, defined as the percentage of the prison population held two to a cell designated as a single cell.

The amended figures have been calculated following an exercise to validate data and make appropriate corrections. The new data will **also** be published in the 2014/15 NOMS Annual Report.

Going forward, we have put robust new checks in place to quality assure figures as they are submitted, and to prevent incorrect figures from being published again. I will be writing to members who have been provided with incorrect information and I once again apologise to the whole House for these mistakes.

Attachments:

1. Prisoners in Crowded or Doubled Conditions (Table - Percentage of Prisoners in Crowded or Doubled Conditions.doc)

Attachments can be viewed online at <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2015-06-11/HCWS29/>.