

JUSTICE SECTOR

Justice Sector forecast

Monitoring report, quarter ending December 2015

Report summary

Most quantities in the forecast are within expected ranges, and there is a variety of reasons behind the discrepancies that occur.

The two most significant on-going issues are:

- The remand prison population remains at a high level, putting pressure on prison capacity. The most recent increase follows the Police focus on family violence.
- Legal aid expenditure remains elevated, as forecast. This is due to a combination of causes, including reduced case volume allocated to the Public Defence Service and increased applications for legal aid (in part due to a Police focus on family violence).

There are data issues in two areas (Crown Law disposals and starts on Release on Conditions), where data recording practice has been reviewed. Fines remitted to Community Work continue to fall, but now do so from so low a level that the absolute impact is small. There has been a small increase in serious violence cases, though the total number of violent cases is broadly flat. Most of the increase reflects a change in charging practice by Police, particularly in cases involving family violence. This increased level of charging feeds through to the proportion of defendants receiving custodial remand. It has also increased the number of cases eligible for Legal Aid at the same time as the proportion of those eligible who make claims is increasing.

In detail, the significant findings of this monitoring report are:

- The **key drivers of the forecast** show the following trends:
 - Court disposals: 1.7% below forecast for the quarter, and 2.9% below forecast for the year to date.
 - Proportion remanded was 8.3% above forecast for the quarter, and 6.5% above forecast for the year to date, reflecting a continuing increase in the use of remand, particularly in family violence cases.
 - Average time on remand was 62.6 days for the quarter, against an expected value of 63.7 days. Average time on remand was 62.3 days for the year to date, against an expected value of 62.8 days.
 - Proportion convicted was 0.1% above forecast for the quarter.
 - Average sentence imposed for sentences of more than two years was 1,532 days for the quarter, against an expected value of 1,549 days.
- **Crown Law case disposals** were 10.0% above forecast for the quarter, which arises from identifying undercounting of cases after the forecast was completed.



- The number of **written pre-sentence reports** was 3.7% above forecast for the quarter, reflecting an initiative to deliver reports faster. **Oral pre-sentence reports** were 13.4% above forecast for the quarter, mainly due to a rise in December, a month when numbers of such reports usually fall. We are looking more closely at the data for possible explanations.
- The amount of **finest imposed** was 1.9% above forecast for the quarter. The amount of **fine receipts** was 5.6% below forecast for the quarter.
- The number of **finest remitted to Community Work** was 15.0% below forecast for the quarter, reflecting a trend towards setting up payment schemes for monetary penalties rather than resorting to remittal.
- **Community sentences:** Community Work sentence starts, which form the majority of community sentence starts, were 3.4% below forecast for the quarter. Community Detention was 3.7% below forecast and Intensive Supervision was 4.3% above forecast for the quarter. Home Detention was 6.2% below forecast and Supervision was 2.4% above forecast for the quarter. The overall numbers of community sentence starts were 1.9% below forecast for the quarter.
- Starts on **Release on Conditions** were 8.2% above forecast for the quarter, and 4.0% above forecast for the year to date. This is almost entirely due to an unusually high number in December, which may reflect a change in recording practice similar to the one which produced the short-lived spike in Post-Detention Condition numbers earlier in the year.
- The **remand prisoner population** ended the quarter 3.9% above forecast, again reflecting a continuing increase in the use of remand, particularly in family violence cases while the **sentenced population** was 1.0% above forecast. The combination of these trends resulted in the **total prison population** being 1.7% above forecast.
- **Legal aid expenditure** excluding debt recovery is 5.5% above forecast for the year to date, which largely arises from a higher proportion of eligible persons making claims, but may also reflect the increased focus on family violence.

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