

Statistics of Mentally Disordered Offenders 2004

22/05

England and Wales

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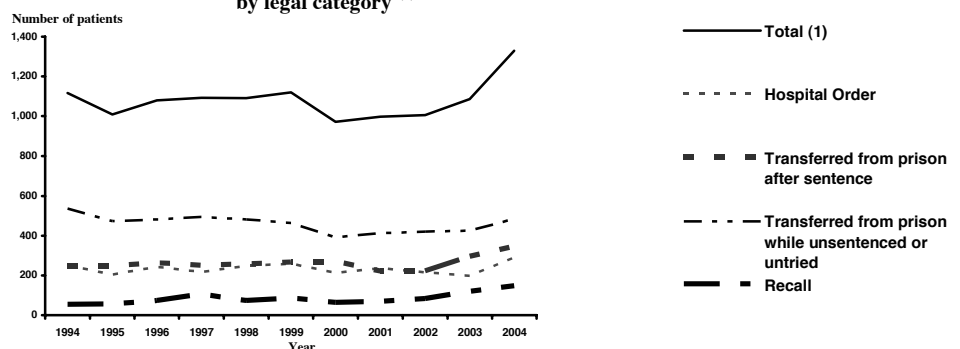
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MAIN POINTS

This bulletin provides information about patients subject to a restriction order (restricted patients) admitted to, detained in or discharged from hospitals in 2004:

- The number in hospital at the end of 2004 was 3,282. This was 5 per cent more than the previous year and the highest figure for the last decade.
- Seventy two per cent of those detained were diagnosed as having a mental illness (with or without other disorders). A further 13% were diagnosed as having Psychopathic disorder.
- The total number admitted to hospitals was 1,329 in 2004. This was 243 (or 18 per cent) more than the previous year.
- The number admitted under restricted hospital orders increased from 198 in 2003 to 288 in 2004, while the number recalled to hospital rose from 121 to 149. The number transferred from prison to hospital increased from 722 in 2003 to 831 in 2004.
- The number of restricted patients discharged into the community was 417 in 2004, 20 (5 per cent) more than the previous year (397) and the highest figure of the last decade.

Figure 1 Restricted patients admitted to hospital by legal category ⁽²⁾



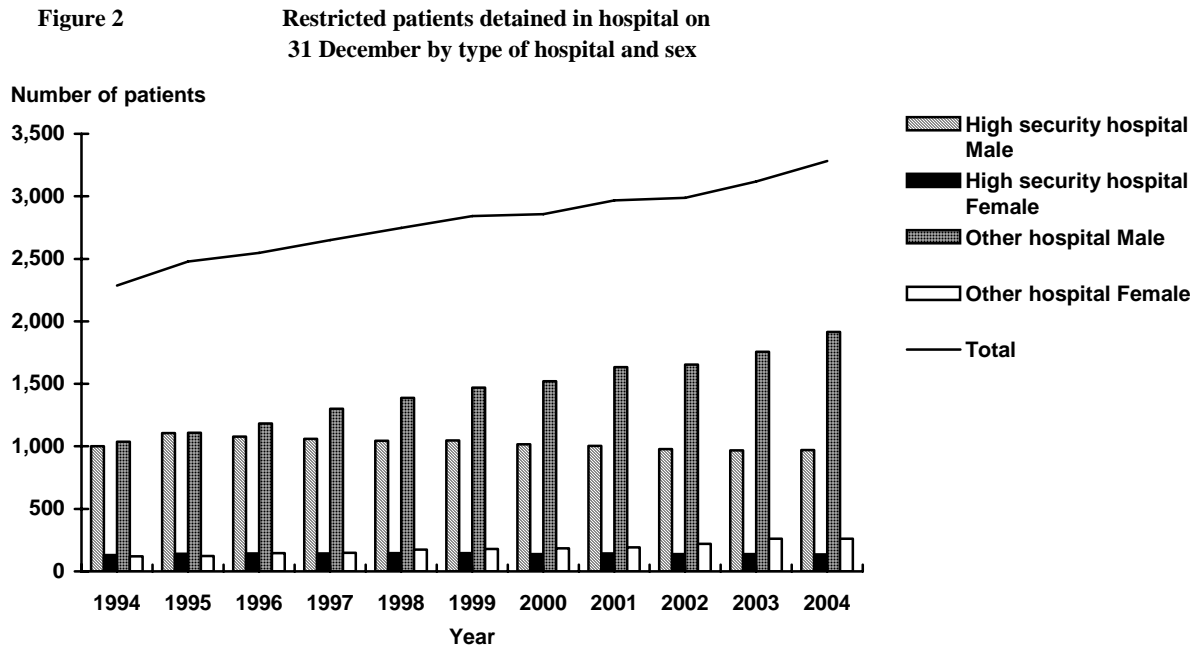
Introduction

1 This bulletin provides information about restricted patients admitted to, detained in or discharged from hospitals (Note 3) in England and Wales between 1994 and 2004 under mental health legislation (Notes 7, 8 and 9). It also gives information on the admission to hospital of mentally disordered offenders not subject to restriction orders (unrestricted patients) (Note 1).

2 There were 3,282 restricted patients detained in hospitals on 31 December 2004 (Note 3). This represents a 5 per cent increase on the 2003 figure and the highest figure in the last decade.

Population and admission of restricted patients (Tables 1 - 15 and Figure 2)

Total numbers detained and admitted



3 The number of restricted patients detained in *high security hospitals* (Note 3) remained almost the same between 2003 and 2004, while the number in *other hospitals* rose by 7 per cent to 2,178. Throughout the 1990s, numbers remained around 1,200 in *high security hospitals*. This number has fallen in the last five years and was 1,104 in 2004. The number in *other hospitals* has almost doubled from 1,156 in 1994 to 2,178 in 2004. As a result, the proportion of restricted patients who were in *high security hospitals* fell from 49 per cent to 34 per cent over this period. The proportion of female patients has remained between 11 and 13 per cent of the hospital population in each year between 1994 and 2004. In absolute terms, the number of female patients detained at the end of

2003 (398) was the highest number detained since records began. The number at the end of 2004 was very similar (396).

4 Since 1994, admissions of restricted patients to hospital have fluctuated between 972 in 2000 and 1,329 in 2004. The number of admissions in 2004 was 18 per cent higher than in 2003 and the highest for the last decade. The number of patients admitted to *high security hospitals* was 130 in 2004, 29 (or 22 per cent) more than the previous year, but still fewer than in the mid 1990s. In 2004 1,199 patients were admitted to *other hospitals* in 2004, an increase of 18 per cent compared with the previous year and the highest figure over the last decade. (See Note 12 for the definition of an admission).

Legal category (Tables 3 - 7 and Figures 1 and 3)

Legal category refers to the particular section of mental health legislation under which patients are detained (see Notes 7, 8 and 9 for details of the legislation).

5 In 2004, there were 831 transfers from prison to hospital (a 13 per cent increase from the previous year and the highest figure for the last decade). Of these, 346 were transferred after sentence and 485 were unsentenced or untried. Transfers from prison accounted for 63 per cent of all admissions of restricted patients to hospital in 2004.

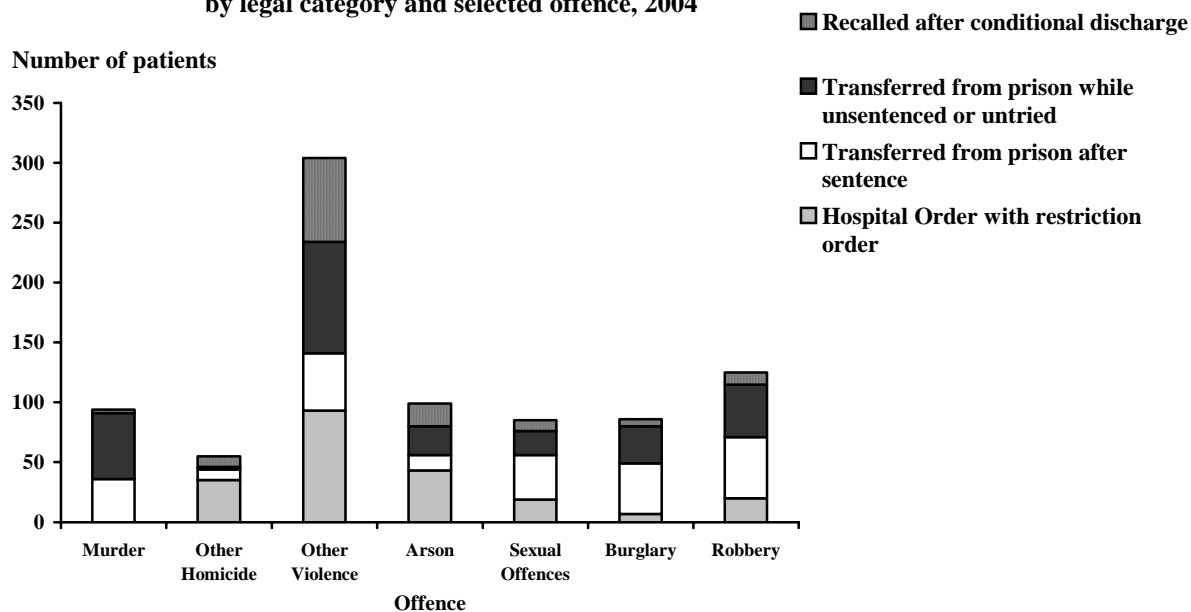
6 The number of restricted patients admitted to hospital in 2004 as a result of a court order was 288, a rise of 31 per cent compared with 2003 and the highest number over the last decade.

7 The number of patients recalled in 2004 after a conditional discharge was 149, an increase of 28 (or 19 per cent) on the previous year and the highest number over the last decade.

8 The legal category under which patients were admitted varied by type of offence. Of those admitted under hospital orders 44 per cent were convicted of or charged with violence against the person compared with 24 per cent of those admitted under other legal categories.

9 Between 1994 and 2004 the proportion of restricted patients detained in hospital who had been transferred from prison (either after sentence or while unsentenced or untried) has fluctuated slightly, accounting for between 18 and 24 per cent (21 per cent in 2004) of the total detained restricted patient population (Table 6). Similarly, the proportion of patients held under hospital orders has fluctuated slightly at between 60 and 67 per cent (60 per cent in 2004).

Figure 3 Restricted patients admitted to hospital by legal category and selected offence, 2004



Type of mental disorder (Tables 4, 7 - 9, 12 - 13 and 15)

10 As in previous years, most restricted patients detained in hospital at the end of 2004 were diagnosed as having a *mental illness (with or without other disorders)*, accounting for 72 per cent of the detained population (see Note 4). Thirteen per cent of detained patients were diagnosed as suffering from some form of psychopathic disorder.

11 The proportion of restricted patient admissions who were suffering from *mental illness (with or without other disorders)* has declined from 92 per cent in 1994 to 86 per cent in 2004. It should be noted that unsentenced or untried prisoners transferred from prison must be in urgent need of treatment and can only be classified as *mentally ill*, or having *severe mental impairment*. Excluding these transfers, the proportion of patients admitted in 2004 with a mental illness was 78 per cent.

Type of offence (Tables 5, 10 - 13 and Figure 4)

12 The proportion of admissions who were convicted of, or charged with violence against the person has fallen from 45 per cent in 1994 to 36 per cent in 2004. The proportion of restricted patients admitted having been convicted of, or having been charged with sexual offences has remained relatively stable (7-10%) between 1994 and 2004. The proportion of admissions of patients convicted of, or charged with burglary has remained relatively stable (6-9%) between 1994 and 2003. The proportion of those admitted for arson has also remained stable (7-9%) between 1994 and 2004.

Figure 4 Restricted patients admitted to hospital by selected offences



13 Among patients aged 40 or over, violence against the person and sexual offences were more common (55 per cent) than in the other age groups (39 per cent). Of those admitted with a diagnosis of psychopathic disorder 25 per cent were convicted of or charged with violent offences in 2004.

14 Among restricted patients detained in hospital at the end of 2004, 49 per cent (1,613) had been convicted of, or charged with, acts of violence against the person. In 249 of these cases the offence was murder and in 420 it was other homicide. Twelve per cent of the restricted population had been convicted of, or charged with, sexual offences and 13 per cent arson. Among the sentenced population violent offences were the most common offences amongst patients suffering from *mental illness* and amongst patients with a diagnosis of psychopathic disorder. Sexual offences accounted for the highest proportion of offences amongst those with mental impairment and severe mental impairment.

Period in hospital (Tables 14 and 15)

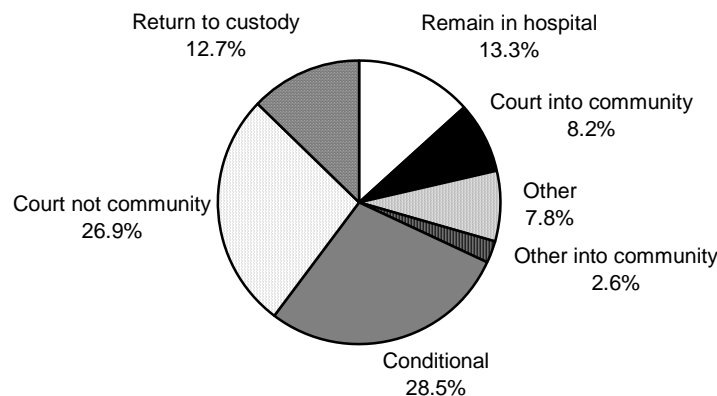
15 Among unsentenced or untried prisoners detained at the end of 2004, 48 per cent had spent under 3 months in hospital. Only 15 out of 192 unsentenced or untried prisoners (or 8 per cent) were held in *high security hospitals*. For categories of patients other than unsentenced or untried prisoners, 53 per cent of those in *high security hospitals* had spent over 10 years in hospital in contrast to 17 per cent of those in *other hospitals*. Conversely, only 13 per cent of the *high security hospital* population had spent under 2 years in hospital compared with 38 per cent of those in *other hospitals*. These patterns reflect the long term specialised treatment offered in the *high security hospitals*.

16 Of those detained under other legal categories in all hospitals, 51 per cent had spent less than 5 years in hospital (see Note 14 for the definition of time spent in hospital for the other legal categories). Of those diagnosed with a *psychopathic disorder*, 50 per cent had spent more than 10 years in hospital, compared to 33 per cent of those suffering a form of *mental impairment* and only 25 per cent of those suffering from *mental illness (with or without other disorders)*.

Discharges and disposals of restricted patients (Tables 16 and 16a and Figure 5)

17 One thousand and sixty patients were discharged or ‘disposed’ of in 2004 (Note 6 defines these terms), 165 (or 16 per cent) more than the number in 2003 (895) and the highest figure for the last decade. Of those patients originally transferred to hospital from prison after sentence, 135 were returned to custody to resume sentence in 2004, 39 (or 29 per cent) more than in 2003. Fourteen per cent of all discharges or disposals in 2004 involved unsentenced or untried prisoners. Four hundred and seventeen patients were discharged into the community in 2004, 20 (or 5 per cent) more than the previous year.

Figure 5 Discharge/disposal of patients in 2004



18 A conditional discharge may be authorised by either the Secretary of State or a Mental Health Review Tribunal (Note 9). Substantially more are authorised by Tribunal (86 per cent in 2004) than by the Secretary of State. Between 1994 and 1997, the annual average number of conditional discharges was 179. Since 1998 (up to and including 2004) that figure has risen to 244. There were 302 conditional discharges in 2004 accounting for 72 per cent of those discharged into the community. Twenty one per cent of all discharges into the community (conditional and otherwise) were discharged into the community by the courts following trial or sentence (S48(2)(a) and (b)). The majority of patients detained in *high security hospitals* are transferred to *other hospitals* before being discharged into the community.

19 Of all unsentenced or untried patients discharged in 2004, 101 (or 68 per cent) spent

under 3 months in hospital before either being discharged into the community or 'disposed' not into the community. Of all sentenced patients discharged in 2004, 96 (or 26 per cent) were discharged into the community and had spent between two and five years in hospital. Of those 'disposed' ie. not discharged into the community, 510 (94 per cent) had spent under 2 years in hospital.

Reconvictions of restricted patients¹ (Table 17 and Table 17a)

20 Two thousand one hundred and thirty nine patients were conditionally discharged for the first time between 1987 and the end of 2002. Fewer than 1 in 10 (8 per cent) of those discharged were reconvicted of a standard list offence (see Note 14) within 2 years of discharge. One per cent of those discharged were reconvicted for a grave offence (see Note 14). *NB. Reconviction figures are based on number of matched not total number of discharged patients.*

21 Five year reconviction rates (which relate to those released between 1987 and 1999 because of the longer follow-up period) were 15 per cent for standard list offences, and 3 per cent for grave offences.

22 The main emphasis of the restriction order is on the prevention of serious harm to the public. Reconviction rates are therefore important in measuring their effectiveness. Table 17a compares the two-year reconviction rates of restricted patients for sexual and violent offences against the rate that would be expected of discharged prisoners and those sentenced to community penalties who match the restricted patients on criminal history and demographic characteristics.

23 Due to the small number of offenders re-convicted for a sexual or violent offence within a two-year follow up period, and the relatively small number that are discharged in any given year, numbers are combined to produce a rolling average over five years. Between 1998 and 2002, 12 restricted patients were re-convicted for a sexual or violent offence within two years of discharge (or 2 per cent). This compares with an expected reconviction rate of 11 per cent. The actual reconviction rate is therefore 9 percentage points lower than would be expected of discharged prisoners and those sentenced to community penalties who match the restricted patients on criminal history and demographic factors.

Admission of unrestricted patients (Table 18)

24 Provisional figures indicate that in 2004, 657 patients were admitted to hospital under an unrestricted hospital order, 98 (15 per cent) more than in 2003. Of these 657, 33 per cent had committed offences involving violence against the person. Excluding offences of violence against the person, the most common offences were criminal damage (19 per cent), summary offences (14 per cent) and other indictable offences (9 per cent).

Table 1 Restricted patients detained in hospital by type of hospital and sex

England and Wales 31 December		Number of patients										
Type of hospital	Sex	1994 (1)	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
High security hospital ⁽²⁾	Male	1,001	1,105	1,077	1,058	1,043	1,046	1,016	1,003	977	966	969
	Female	131	140	144	143	145	147	137	142	138	137	135
	All patients	1,132	1,245	1,221	1,201	1,188	1,193	1,153	1,145	1,115	1,103	1,104
Other hospitals ⁽²⁾	Male	1,036	1,109	1,182	1,300	1,387	1,469	1,520	1,633	1,654	1,754	1,917
	Female	120	124	146	149	174	180	185	191	220	261	261
	All patients	1,156	1,233	1,328	1,449	1,561	1,649	1,705	1,824	1,874	2,015	2,178
All hospitals	Male	2,037	2,214	2,259	2,358	2,430	2,515	2,536	2,636	2,631	2,720	2,886
	Female	251	264	290	292	319	327	322	333	358	398	396
	All patients	2,288	2,478	2,549	2,650	2,749	2,842	2,858	2,969	2,989	3,118	3,282

(1) There was a change in methodology in 1995 and figures for 1994 were revised following additional checks (see Notes 10 & 11).

(2) See Note 3 for definition.

Table 2 Restricted patients admitted⁽¹⁾ to hospital by type of hospital and sex

England and Wales		Number of patients										
Type of hospital	Sex	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
High security hospital ⁽²⁾	Male	121	143	116	86	105	98	80	78	71	90	123
	Female	15	9	20	21	12	19	14	10	6	11	7
	All patients	136	152	136	115	117	117	94	88	77	101	130
Other hospitals ⁽²⁾	Male	906	783	849	891	871	909	800	821	823	858	1,095
	Female	75	73	94	94	103	93	78	88	106	127	104
	All patients	981	856	943	955	974	1,002	878	909	929	985	1,199
All hospitals	Male	1,027	926	965	977	976	1,007	880	899	894	948	1,218
	Female	90	82	114	115	115	112	92	98	112	138	111
	All patients	1,117	1,008	1,079	1,092	1,091	1,119	972	997	1,006	1,086	1,329

(1) These figures include those admitted more than once in the year.

(2) See Note 3 for definition.

Table 3 Restricted patients admitted ⁽¹⁾ to hospital by legal category ⁽²⁾

England and Wales										Number of patients	
Legal category	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Hospital order with restriction order	251	205	243	218	248	259	212	237	216	198	288
<i>Transferred from Prison Service establishment after sentence</i>	249	250	264	251	258	267	270	222	223	296	346
<i>Transferred from Prison Service establishment while unsentenced or untried</i>	536	473	481	495	481	464	392	413	421	426	485
All transferred from prison	785	723	745	746	739	731	662	635	644	722	831
Recalled after conditional discharge	55	56	74	106	74	87	65	69	83	121	149
Transferred from Scotland, Northern Ireland etc	1	2	-	-	-	-	-	-	-	-	-
Unfit to plead	18	16	12	17	24	28	22	46	50	39	51
Not guilty by reason of insanity	7	6	5	5	6	6	8	7	9	2	8
Hospital and limitation direction	-	-	-	-	-	8	3	3	3	4	2
Other	-	-	-	-	-	-	-	-	1	-	-
All legal categories	1,117	1,008	1,079	1,092	1,091	1,119	972	997	1,006	1,086	1,329

(1) See footnote(1) of Table 2.

(2) See Note 7 for details of the legislation.

Table 4 **Restricted patients admitted to hospital by legal category⁽¹⁾ and type of mental disorder⁽²⁾**

England and Wales 2004		Number of patients						
Legal category ⁽¹⁾	Mental illness	Mental illness with other disorder	Psycho-pathic disorder	Mental impairment	Mental impairment With psycho-pathic disorder	Severe mental Impairment	Not known	All mental Disorders
Hospital order with restriction order	231	21	20	12	3	-	1	288
<i>Transferred from Prison Service establishment after sentence</i>	261	19	59	6	1	-	-	346
<i>Transferred from Prison Service establishment while unsentenced or untried</i>	483	1	-	-	1	-	-	485
All transferred from prison	744	20	59	6	2	-	-	831
Recalled after conditional discharge	117	8	10	6	1	-	7	149
Transferred from Scotland, Northern Ireland etc	-	-	-	-	-	-	-	-
Unfit to plead	3	-	-	-	-	-	48	51
Not guilty by reason of insanity	1	-	-	-	-	-	7	8
Hospital and limitation direction	-	-	2	-	-	-	-	2
Other	-	-	-	-	-	-	-	-
All legal categories	1,096	49	91	24	6	-	63	1,329

(1) See Note 7 for details of sections of the legislation.

(2) See Note 4 for classification of mental disorder.

Table 5 Restricted patients admitted to hospital by legal category and offence

Legal category	England and Wales 2004											Number of patients		
	Violence against the Person			Sexual Offences	Burglary	Robbery	Theft and handling stolen goods	Fraud and forgery	Criminal damage		Other indictable/summary Offences ⁽⁶⁾	All offences		
	Murder ⁽¹⁾	Other ⁽²⁾ Homicide	Other ⁽²⁾ violence						Arson	Other				
Hospital order with restrictions	-	35	93	19	7	20	1	-	43	11	59	288		
<i>Transferred from Prison Service establishment after sentence</i>	36	9	48	37	42	51	2	1	20	13	86	346 ⁽³⁾		
<i>Transferred from Prison Service establishment before sentence</i>	57	-	93	20	31	44	11	-	24	44	153	485 ⁽⁴⁾		
All transferred from prison	93	9	141	57	73	95	13	1	44	57	239	831		
Recalled after conditional discharge	3	9	70	9	6	10	2	-	19	7	14	149		
Transferred from Scotland, Northern Ireland etc	-	-	-	-	-	-	-	-	-	-	-	-		
Unfit to plead	4	-	16	7	2	2	-	-	9	-	11	51		
Not guilty by reason of insanity	2	-	3	2	-	-	-	-	-	-	1	8		
Hospital and limitation direction	-	-	-	-	-	-	-	-	1	-	1	2		
Other	-	-	-	-	-	-	-	-	-	-	-	-		
All legal categories	102	53	323	94	88	127	16	1	116	75	325	1,329 ⁽⁵⁾		

- (1) Patients admitted under hospital orders would rarely register a murder offence, as this carries a mandatory life sentence which would usually be followed by removal to prison.
- (2) No patients transferred from prison to hospital before sentence or trial were admitted for "other homicide", because the offence registered for these patients is based on the original indictment by the police, which would invariably be for murder in homicide cases. The actual offence would not be established until after the court case.
- (3) Includes 1 immigration detainee.
- (4) Includes 1 civil prisoner and 7 immigration detainees.
- (5) Includes a total of 1 civil prisoner and 8 immigration detainees.
- (6) For example, these include common assault, vagrancy and motor offences.

Table 6 **Restricted patients detained in hospital by legal category⁽¹⁾**

England and Wales 31 December

Legal category	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Hospital order with restriction order	1,525	1,548	1,626	1,680	1,758	1,852	1,860	1,910	1,939	1,909	1,978
<i>Transferred from Prison Service establishment after sentence</i>	342	402	389	368	402	385	386	402	410	489	505
<i>Transferred from Prison Service establishment while unsentenced or untried</i>	157	183	181	178	168	151	151	160	141	174	189
All transferred from prison	499	585	570	546	570	536	537	562	551	663	694
Recalled after conditional discharge	100	195	213	277	266	287	285	287	270	308	351
Transferred from Scotland, Northern Ireland etc	6	7	3	3	3	3	3	3	3	3	3
Unfit to plead	103	97	93	103	110	120	124	152	170	180	205
Not guilty by reason of insanity	23	24	25	23	25	23	28	34	39	37	35
Hospital and limitation direction	-	-	-	-	-	5	7	10	9	11	10
Other	32	22	19	18	17	16	14	11	8	7	6
All legal categories	2,288	2,478	2,549	2,650	2,749	2,842	2,858	2,969	2,989	3,118	3,282

(1) See Note 7 for details of the legislation.

Table 7 Restricted patients detained in hospital by legal category⁽¹⁾ and type of mental disorder⁽²⁾

England and Wales 31 December 2004		Number of patients						
Legal category ⁽¹⁾	Mental Illness	Mental illness with other disorders	Psycho-pathic disorder	Mental impairment	Mental impairment With psycho-pathic disorder	Severe mental impairment	Not Known	All mental disorders
Hospital order with restriction order	1,369	156	265	148	29	10	1	1,978
<i>Transferred from Prison Service establishment after sentence</i>	345	43	99	16	2	-	-	505
<i>Transferred from Prison Service establishment before sentence</i>	189	-	-	-	-	-	-	189
All transferred from prison	534	43	99	16	2	-	-	694
Recalled after conditional discharge	235	15	53	20	1	-	27	351
Transferred from Scotland, Northern Ireland, etc	1	-	1	-	-	-	1	3
Unfit to plead	16	1	-	5	-	1	182	205
Not guilty by reason of insanity	6	-	-	-	-	-	29	35
Hospital and limitation direction	-	-	10	-	-	-	-	10
Other	3	-	-	-	-	1	2	6
All legal categories	2,164	215	428	189	32	12	242	3,282

(1) See Note 7 for details of sections of Acts.

(2) See Note 4 for classification of mental disorder.

Table 8 Restricted patients detained in hospital by type of mental disorder⁽¹⁾, age and sex

England and Wales 31 December 2004

Number of patients

Type of mental disorder	Age on 31 December												Total
	under 17		17-20		21-39		40-59		60+		All ages		
	M	F	M	F	M	F	M	F	M	F	M	F	
Mental illness	19	-	84	6	1,083	118	674	66	106	8	1,966	198	2,164
Mental illness with other disorders	1	-	7	1	99	34	53	17	2	1	162	53	215
Psychopathic disorder	2	1	10	2	158	61	139	27	27	1	336	92	428
Mental impairment	2	-	13	1	93	9	55	7	9	-	172	17	189
Mental impairment with psychopathic disorder	-	-	1	-	20	3	7	1	-	-	28	4	32
Severe mental impairment	-	-	-	-	6	-	3	-	3	-	12	-	12
Not known	3	-	11	1	103	12	69	16	24	3	210	32	242
All mental disorders	27	1	126	11	1,562	237	1,000	134	171	13	2,886	396	3,282

(1) See Note 4 for classification of mental disorder.

Table 9 Restricted patients admitted⁽¹⁾ to hospital by type of mental disorder⁽²⁾

England and Wales

Number of patients

Type of mental disorder	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Mental illness	1,004	898	954	975	987	986	841	874	847	907	1,096
Mental illness with other disorders	23	21	31	25	23	23	35	22	38	27	49
Psychopathic disorder	45	46	47	38	35	40	39	39	51	72	91
Mental impairment	20	18	18	24	16	33	27	18	11	25	24
Mental impairment with psychopathic disorder	2	4	6	4	2	3	4	2	2	4	6
Severe mental impairment	5	-	3	4	-	-	3	3	-	4	-
Not known	18	21	20	22	28	34	23	39	57	41	63
All mental disorders	1,117	1,008	1,079	1,092	1,091	1,119	972	997	1,006	1,080	1,329

(1) See footnote (1) of Table 2.

(2) See Note 4 for classification of mental disorder.

Table 10 Restricted patients admitted⁽¹⁾ to hospital by offence⁽²⁾

England and Wales		Number of patients									
Offence	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Violence against the person:											
murder	77	87	67	78	66	63	62	67	61	87	102
other homicide	46	48	31	50	48	47	35	48	36	51	53
other violence	380	290	294	296	258	312	221	236	248	260	323
Sexual offences	106	101	96	92	95	78	72	78	80	77	94
Burglary	90	78	98	101	99	87	85	67	60	74	88
Robbery	109	101	89	107	115	94	82	96	91	112	127
Theft and handling stolen goods	46	18	30	22	15	27	11	17	16	22	16
Fraud and forgery	2	4	6	3	4	4	2	-	5	-	1
Criminal damage:											
arson	79	68	89	91	79	97	82	90	86	99	116
other	39	43	66	55	73	71	54	48	67	48	75
Other indictable offences and summary offences ⁽³⁾	132	166	206	193	236	234	262	241	253	255	325
All offences	1,106	1,004	1,072	1,088	1,088	1,114	968	988	1,003	1,079	1,320
Civil prisoners	6	4	7	4	1	2	1	1	-	1	1
Immigration detainees	5	-	-	-	2	3	3	8	3	-	8
All patients	1,117	1,008	1,079	1,092	1,091	1,119	972	997	1,006	1,086	1,329

(1) See footnote (1) of Table 2.

(2) See Note 5 for offence classification.

(3) For example, these include common assault, vagrancy and motor offences.

Table 11 Restricted patients admitted⁽¹⁾ to hospital by offence⁽²⁾ and age

England and Wales 2004

Number of patients

Offence	Age on 31 December					All ages
	under 17	17-20	21-39	40-59	60+	
Violence against the person:						
murder	1	2	61	29	9	102
other homicide	-	-	29	20	4	53
other violence	3	18	205	86	11	323
Sexual offences	3	5	51	31	4	94
Burglary	2	8	64	14	-	88
Robbery	-	18	97	12	-	127
Theft and handling stolen goods	1	3	12	-	-	16
Fraud and forgery	-	-	1	-	-	1
Criminal damage:						
arson	-	5	70	36	5	116
other	-	4	61	8	2	75
Other indictable offences and summary offences ⁽³⁾	1	31	212	77	4	325
All offences	11	94	863	313	39	1,320
Civil prisoners	-	-	1	-	-	1
Immigration detainees	-	-	6	2	-	8
All patients	11	94	870	315	39	1,329

(1) See footnote (1) of Table 2.

(2) See Note 5 for offence classification.

(3) For example, these include common assault, vagrancy and motor offences.

Table 12 Restricted patients admitted to hospital by offence and type of mental disorder

England and Wales 2004		Number of patients						
Offence	Mental illness	Mental illness with other disorders	Psycho-pathic disorder	Mental impairment	Mental impairment with psycho-pathic disorder	Severe mental impairment	Not known	All mental disorders
Violence against the person:								
murder	91	2	3	-	-	-	6	102
other homicide	42	3	6	2	-	-	-	53
other violence	264	18	14	4	1	-	22	323
Sexual offences	65	3	10	6	1	-	9	94
Burglary	75	2	8	1	-	-	2	88
Robbery	110	5	9	1	-	-	2	127
Theft and handling stolen goods	15	-	1	-	-	-	-	16
Fraud and forgery	1	-	-	-	-	-	-	1
Criminal damage:								
arson	76	4	18	5	3	-	10	116
other	63	3	6	2	1	-	-	75
Other indictable offences and summary offences ⁽¹⁾	285	9	16	3	-	-	12	325
All offences	1,087	49	91	24	6	-	63	1,320
Civil prisoners	1	-	-	-	-	-	-	1
Immigration detainees	8	-	-	-	-	-	-	8
All patients	1,096	49	91	24	6	-	63	1,329

(1) For example, these include common assault, vagrancy and motor offences.

Table 13 Restricted patients detained in hospital by offence⁽¹⁾ and type of mental disorder⁽²⁾

England and Wales 31 December 2004

Number of patients

Offence	Sentenced ⁽³⁾						Section 48	All mental disorders
	Mental illness ⁽⁴⁾	Psycho-pathic ⁽⁵⁾ disorder	Mental impair-ment	Severe mental impair-ment	Not known	All mental disorders		
Violence against the person:								
murder	153	24	2	-	39	218	31	249
other homicide	320	80	12	-	5	417	3	420
other violence	704	88	35	1	78	906	38	944
Sexual offences	176	96	70	8	41	391	12	403
Burglary	60	9	1	-	5	75	10	85
Robbery	150	10	3	-	7	170	14	184
Theft and handling stolen goods	13	5	-	-	-	18	2	20
Fraud and forgery	-	-	-	-	-	-	-	-
Criminal damage:								
arson	249	86	41	2	37	415	14	429
other	62	16	9	-	1	88	12	100
Other indictable offences and summary offences ⁽⁶⁾	303	46	16	1	29	395	50	445
All offences	2,190	460	189	12	242	3,093	186	3,279
Civil prisoners	-	-	-	-	-	-	-	-
Immigration detainees	-	-	-	-	-	-	3	3
All patients	2,190	460	189	12	242	3,093	189	3,282

(1) See Note 5 for offence classification.

(2) See Note 4 for classification of mental disorder.

(3) Includes hospital orders; transferred from prison service establishments after sentence; recalled after conditional discharge; transferred from Scotland, Northern Ireland etc; unfit to plead; not guilty by reason of insanity; and other.

(4) Includes 'mental illness with other disorders' shown in previous tables.

(5) Includes 'mental impairment with psychopathic disorder' shown in earlier tables.

(6) For example, these include common assault, vagrancy and motor offences.

Table 14 Restricted patients detained in hospital by period spent in hospital⁽¹⁾, type of hospital⁽²⁾ and sex.

England and Wales 31 December 2004

Number of patients

Period in hospital	Type of hospital						Total		
	high security			other			Total		
	M	F	T	M	F	T	M	F	T
Unsentenced or untried									
Under 3 months	7	-	7	76	10	86	83	10	93
3 to 6 months	2	-	2	41	4	45	43	4	47
Over 6 months	5	1	6	40	6	46	45	7	52
All unsentenced or untried	14	1	15	157	20	177	171	21	192
Other legal categories									
Under 2 years	113	14	127	715	85	800	828	99	927
Over 2 to 5 years	101	17	118	452	69	521	553	86	639
Over 5 to 10 years	182	37	219	367	57	424	549	94	643
Over 10 to 20 years	271	35	306	258	34	292	529	69	598
Over 20 to 30 years	118	20	138	56	6	62	174	26	200
Over 30 years	68	1	69	14	0	14	82	1	83
All other legal categories	853	124	977	1,862	251	2,113	2,715	375	3,090
All patients	867	125	992	2,019	271	2,290	2,886	396	3,282

- (1) Includes all previous periods in hospital except for the unsentenced or untried prisoners where the period starts from the last admission date. The database on which these periods are based is now complete and figures published in previous years will to some extent have underestimated time spent in hospital.
- (2) Patients may not have spent their entire period of detention in the type of hospital under which they are shown as these figures are based on the first place of admission.

Table 15 Restricted patients detained in hospital by period spent in hospital⁽¹⁾ and type of mental disorder⁽²⁾

England and Wales 31 December 2004

Period in hospital	Mental illness	Mental illness with other disorders	Psychopathic disorder	Mental impairment	Mental impairment with psychopathic disorder	Severe mental impairment	Not known	All mental disorders
Unsentenced or untried								
Under 3 months	93	-	-	-	-	-	-	93
3 to 6 months	47	-	-	-	-	-	-	47
Over 6 months	52	-	-	-	-	-	-	52
All unsentenced or untried	192	-	-	-	-	-	-	192
Other legal categories								
Under 2 years	655	52	95	34	8	1	82	927
Over 2 to 5 years	431	54	47	36	4	2	65	639
Over 5 to 10 years	407	59	64	56	7	3	47	643
Over 10 to 20 years	337	57	125	43	9	3	24	598
Over 20 to 30 years	110	7	48	14	4	1	16	200
Over 30 years	30	1	33	6	-	2	11	83
All other legal categories	1,970	230	412	189	32	12	245	3,090
All legal categories	2,261	230	412	189	32	12	245	3,282

(1) Includes all previous periods in hospital except for the unsentenced or untried prisoners where the period starts from the last admission date. The database on which these periods are based is now more complete and figures published in previous years will to some extent have underestimated time spent in hospital.

(2) See Note 4 for classification of mental disorder.

Table 16 Discharges and disposals⁽¹⁾ of restricted patients, by type

England and Wales		Number of patients									
Type of discharge	1994 (2)	1995	1996	1997	1998	1999	2000	2001	2002 (3)	2003	2004
Discharge into the community											
Discharged conditionally under a warrant issued by the Secretary of State	43	24	35	29	34	34	23	27	24	32	43
Discharged conditionally by tribunal	147	140	136	163	173	162	212	196	223	263	259
Absolute discharges (first discharged) into the Community	21	14	10	5	6	9	7	13	22	22 ⁽⁴⁾	15
Discharges from court (S48(2)(a) and (b)) into the community	145	86	95	110	119	100	83	84	95	64	87
Other discharges into the community	52	32	45	35	17	20	15	14	14	16	13
All discharges into the community	408	296	321	342	349	325	340	334	378	397	417
Disposals (not discharged into the community)											
Remained in hospital no longer subject to restrictions	115	96	120	128	119	129	112	94	94	81	141
Returned to custody to resume sentence	122	92	156	122	93	130	100	84	100	96	135
Died	21	14	21	18	32	29	27	24	23	23	25
Remission of untried/unsentenced prisoners	48	37	31	46	35	40	32	40	55	54	54
Disposal at court (S48(2)(a) and (b)) not into the community	294	251	299	275	300	337	234	247	256	241	284
Other	10	2	4	9	3	1	4	5	8	3	4
All disposals (not discharged into the community)	610	492	631	598	582	666	509	494	536	498	643
All discharges and disposals	1,018	788	952	940	931	991	849	828	914	895	1,060

(1) See Note 6 for definition.

(2) The figures for 1994 were revised following further checking.

(3) 2002 figures are revised from those published in Bulletin 14/03.

(4) In addition, 96 patients were granted absolute discharge in 2003 following a previous conditional discharge. Seventy-one (or 74 per cent) of these patients were first conditionally discharged between 1997 and 2002.

Table 16a Restricted patients discharged and disposed by period spent in hospital and type⁽¹⁾

England and Wales 2004

Period in hospital	Type of discharge							
	Discharge into the community				Disposals (not discharged into the community)			
	Discharged conditionally ⁽²⁾	Absolute discharges (first discharged)	Other discharges (into the community) ⁽³⁾	All discharges into community	Returned to custody to resume sentence	Other disposals ⁽⁴⁾	All disposals (not discharged into the community)	All discharges and disposals
Unsentenced or untried								
Under 3 months	-	-	33	33	-	68	68	101
3 to 6 months	-	-	10	10	-	18	18	28
Over 6 months	-	-	6	6	1	13	14	20
All unsentenced or untried	-	-	49	49	1	99	100	149
Other legal categories								
Under 2 years	103	6	49	158	127	383	510	668
Over 2 to 5 years	91	3	2	96	3	13	16	112
Over 5 to 10 years	65	3	-	68	-	1	1	69
Over 10 to 20 years	33	1	-	34	3	2	5	39
Over 20 to 30 years	3	2	-	5	-	5	5	10
Over 30 years	7	-	-	7	1	5	6	13
All other legal categories	302	15	51	368	134	409	543	911
All legal categories	302	15	100	417	135	508	643	1,060

(1) Includes all previous periods in hospital.

(2) Includes patients conditionally discharged by the Secretary of State and those conditionally discharged by Mental Health Review Tribunal.

(3) Includes discharges from court (S48(2)(a) and (b)) into the community.

(4) Includes patients remaining in hospital no longer subject to restrictions, remission of untried/ unsentenced prisoners, disposals at court (S48(2)(a) and (b)) not into the community, and patients that have died.

Table 17 Restricted patients⁽¹⁾ reconvicted within 2 or 5 years⁽²⁾

England and Wales

Number and percentage of persons

Year of first discharge	Total number of persons first discharged ⁽³⁾		Persons reconvicted since first release				Percentage of total number of persons first released			
			Grave Offence		Standard list Offence ⁽⁴⁾		Grave offence		Standard list offence ⁽⁴⁾	
			2 years	5 years	2 years	5 years	2 years	5 years	2 years	5 years
1987	87	(76)	-	4	4	9	-	5	5	12
1988	94	(91)	1	2	5	8	1	2	5	9
1989	137	(126)	-	1	10	16	-	1	8	13
1990	100	(93)	2	3	8	12	2	3	9	13
1991	88	(81)	-	1	5	8	-	1	6	10
1992	147	(131)	1	5	11	24	1	4	8	18
1993	127	(115)	1	8	10	22	1	7	9	19
1994	146	(138)	1	1	9	16	1	1	6	12
1995	135	(118)	1	2	11	19	1	2	9	16
1996 ⁽⁵⁾	125	(99)	2	3	10	18	2	3	10	18
1997	144	(122)	-	2	10	18	-	2	8	15
1998	145	(120)	2	4	7	20	2	3	6	17
1999	142	(114)	1	2	7	19	1	2	6	17
2000	176	(149)	2	..	18	..	1	..	12	..
2001	165	(134)	3	..	10	..	2	..	7	..
2002	181	(147)	3	..	10	..	2	..	7	..
1987-1999	1,617	(1,424)	12	38	107	209	1	3	8	15
1987-2002	2,139	(1,854)	20	..	145	..	1	..	8	..
Discharged by Mental Health Review Tribunal										
1987	49	(47)	-	2	3	6	-	4	6	13
1988	48	(48)	1	1	4	4	2	2	8	8
1989	78	(74)	-	1	7	11	-	1	9	15
1990	63	(57)	2	2	8	11	4	4	14	19
1991	62	(60)	-	1	4	7	-	2	7	12
1992	107	(94)	1	4	10	22	1	4	11	23
1993	97	(88)	1	7	8	18	1	8	9	20
1994	111	(104)	1	1	5	7	1	1	5	7
1995	115	(100)	1	1	10	16	1	1	10	16
1996 ⁽⁵⁾	101	(82)	2	3	7	15	2	4	9	18
1997	123	(106)	-	2	10	18	-	2	9	17
1998	122	(101)	2	3	6	18	2	3	6	18
1999	115	(95)	1	2	5	16	1	2	5	17
2000	161	(136)	2	..	15	..	1	..	11	..
2001	142	(114)	2	..	9	..	2	..	8	..
2002	164	(134)	3	..	10	..	2	..	7	..
1987-1999	1,191	(1,056)	12	30	87	169	1	3	8	16
1987-2002	1,658	(1,440)	19	..	121	..	1	..	8	..
Discharged with consent of Secretary of State										
1987	38	(29)	-	2	1	3	-	7	3	10
1988	46	(43)	-	1	1	4	-	2	2	9
1989	59	(52)	-	-	3	5	-	-	6	10
1990	37	(36)	-	1	-	1	-	3	-	3
1991	26	(21)	-	-	1	1	-	-	5	5
1992	40	(37)	-	1	1	2	-	3	3	5
1993	30	(27)	-	1	2	4	-	4	7	15
1994	35	(34)	-	-	4	8	-	-	12	24
1995	20	(18)	-	1	1	3	-	6	6	17
1996 ⁽⁵⁾	24	(17)	-	-	3	3	-	-	18	18
1997	21	(16)	-	-	-	-	-	-	-	-
1998	23	(19)	-	1	1	2	-	5	5	11
1999	27	(19)	-	-	2	3	-	-	11	16
2000	15	(13)	-	..	3	..	-	..	23	..
2001	23	(20)	1	..	1	..	5	..	5	..
2002	17	(13)	0	..	0	..	0	..	0	..
1987-1999	426	(368)	-	8	20	39	-	2	5	11
1987-2002	481	(414)	1	..	24	..	-	..	6	..

(1) Discharged under Section 66 of the Mental Health Act 1959 or Section 42 or 73 of the Mental Health Act 1983.

(2) Figures have been slightly revised where necessary from those published in bulletin 14/03.

(3) Figures in brackets represent number of patients matched against the Offenders Index and excludes those repatriated immediately on discharge.

(4) Including persons reconvicted of grave offences.

(5) From 1 January 1996, appearances at magistrates' courts for the offences of 'dangerous driving', driving or attempting to drive a motor vehicle while having a breath, urine or blood alcohol concentration in excess of the prescribed limit' and 'driving whilst disqualified from holding or obtaining a license' were added to the standard list.

(6) Figures for this bulletin were derived from a manual matching procedure, which differed from previous years.

(7) Reconviction figures are calculated based on matched cases not total number of discharged patients.

Table 17a Restricted patients⁽¹⁾ actual and expected reconviction rates for violent and sexual offences⁽²⁾

England and Wales		Number and percentage of persons				
Year of first discharge	Total number of persons first discharged ⁽³⁾	Number of Persons reconvicted within two years of first release				
		Sexual or violent offences ⁽²⁾				Difference (Actual-predicted) ⁽⁵⁾
		Numbers reconvicted	Percentage reconvicted	Expected percentage reconvicted ⁽⁴⁾		
All discharged						
1987	87 (76)	1	1	9	-8	
1988	94 (91)	1	1	11	-10	
1989	137 (126)	0	-	10	-10	
1990	100 (93)	0	-	11	-11	
1991	88 (81)	0	-	10	-10	
1992	147 (131)	1	1	12	-11	
1993	127 (116)	2	2	12	-10	
1994	146 (139)	1	1	11	-10	
1995	135 (118)	3	3	13	-10	
1996	125 (99)	3	3	11	-8	
1997	144 (122)	-	-	12	-12	
1998	145 (120)	2	2	10	-8	
1999	142 (114)	2	2	12	-10	
2000	176 (149)	3	2	11	-9	
2001	165 (134)	3	2	11	-9	
2002	181 (146)	2	1	10	-9	
1987-2002	2,139 (1,823)	24	1	11	-10	
1987-1991	506 (467)	2	0	10	-10	
1988-1992	566 (522)	2	0	11	-11	
1989-1993	599 (547)	3	1	11	-10	
1990-1994	608 (560)	4	1	11	-10	
1991-1995	643 (585)	7	1	12	-11	
1992-1996	680 (603)	10	2	12	-10	
1993-1997	677 (594)	9	2	12	-10	
1994-1998	695 (598)	9	2	11	-9	
1995-1999	691 (573)	10	2	12	-10	
1996-2000	732 (604)	10	2	11	-9	
1997-2001	772 (639)	10	2	11	-9	
1998-2002	809 (649)	12	2	11	-9	

(1) Discharged under Section 66 of the Mental Health Act 1959 of Section 42 of 73 or the Mental Health Act 1983
(2) Figures for violent and sexual offences use the definitions from appendix 3 of 'Criminal Statistics England and Wales 2003'. Briefly, these offences include homicide, endangering life, aggravated burglary, robbery, kidnapping, child abduction, cruelty or neglect of children, abandoning child under 2 years, concealment of birth, buggery, rape, indecent assault, incest, procuration, abduction, bigamy and gross indecency with children. These may differ slightly to the offences defined in appendix 2 of the 2005 Home Office Statistical Bulletin 'Crime in England and Wales 2004/2005'.
(3) Figures in brackets represent number of patients matched against the Offenders Index and excludes those repatriated immediately on discharge.
(4) The expected reconviction rate is the rate of reconviction that would be expected of discharged prisoners and those sentenced to community penalties who match the restricted patients on criminal history and demographic characteristics.
(5) The difference between the actual and predicted rates indicates whether the reconviction rate for restricted patients is above or below the level of reconviction expected of discharged prisoners and those sentenced to community penalties who match the restricted patients on criminal history or demographic factors. Figures have been revised where necessary from those published in bulletin 14/03.

Table 18 Persons given unrestricted hospital orders⁽¹⁾ by the courts, by offence⁽²⁾

England and Wales		Number of patients									
Offence	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004 ⁽³⁾
Violence against the person:											
murder	-	-	-	-	-	-	-	-	-	-	-
other homicide	4	5	14	12	9	6	13	20	19	22	19
other violence	202	163	196	221	225	227	197	181	201	156	196
Sexual offences	52	45	45	42	45	50	40	42	35	39	37
Burglary	62	60	63	40	63	51	43	44	42	41	40
Robbery	47	32	41	29	42	38	36	43	39	42	44
Theft and handling stolen goods	75	53	74	57	54	73	50	34	37	30	40
Fraud and forgery	10	10	15	7	7	6	7	2	7	6	1
Criminal damage: arson/other	122	99	94	115	129	136	90	99	94	93	124
Other indictable offences	71	73	77	74	70	78	64	67	75	46	62
Summary offences	118	109	98	104	104	84	86	82	108	84	94
All offences	763	649	717	701	748	749	626	614	657	559	657

(1) Section 37(1) and section 37(3) patients.

(2) See Note 5 for offence classification.

(3) Provisional figures.

NOTES

1 The majority of information in this bulletin relates to restricted patients. Tables 1-17a cover admissions subject to restriction orders and directions under the mental health legislation. Such patients cannot be discharged without the consent of the Secretary of State or a Mental Health Review Tribunal. The bulletin also covers certain mentally disordered offenders whose discharge or transfer was not restricted - those receiving a hospital order from a court (Table 18). The Home Office does not monitor the movements of unrestricted patients after admission.

Background Information

2 The term *mentally disordered offenders* in this bulletin refers to persons who have been compulsorily admitted to hospital under Part V of the Mental Health Act 1959, Part III of the Mental Health Act 1983 or the Criminal Procedure (Insanity) Act 1964 as amended by the Criminal Procedure (Insanity and Unfitness to Plead) Act 1991 (see Legislative Framework below).

3 Mentally disordered offenders are held in psychiatric hospitals; in some cases only part of a hospital may be designated for the provision of psychiatric care. *High security hospitals* (known previously as *special hospitals*) hold patients detained under mental health legislation, who in the opinion of the Secretary of State for Health require treatment under conditions of high security because of their dangerous, violent or criminal propensities. There were four *high security hospitals* (Broadmoor, Rampton, Moss Side and Park Lane) until 18 February 1990 when Moss Side and Park Lane merged to become Ashworth. In this bulletin, the term *other hospital* refers to any other psychiatric hospital in England and Wales, which admits mentally disordered offenders as well as other patients.

4 The Mental Health (Amendment) Act 1982 replaced the term *subnormality*, used in the Mental Health Act 1959, with *mental impairment* which covers a narrower range of patients. The provisions of the Act covering psychopathic disorder were also amended; this does not appear to have affected the admission of such patients. In tables categorising patients by mental disorder, those with (i) mental impairment with mental illness or (ii) severe mental impairment (with or without mental illness), in addition to psychopathic disorder are shown under *psychopathic disorder*.

5 Offence categories used in this bulletin are as described in appendices 3 and 4 of '*Criminal Statistics, England and Wales 2003*'. Definitions of some categories may have slightly changed in the 2005 Home Office Statistical Bulletin '*Crime in England and Wales 2004/2005*'. Tables showing offences classify convicted patients by their principal offence, and unsentenced or untried prisoners by the principal offence with which they are charged. Table 5 shows that no patients were admitted under section 48 (transfer from prison prior to sentence or trial) for homicide other than murder because the offence registered for section 48 transfers is based on the original

indictment by the police, which would almost always be for the offence of murder in homicide cases. The actual offence would not be established until the subsequent court case (very often restricted patients indicted for murder are convicted of 'other homicide'). The table also shows that no patients were admitted under a hospital order for murder; a hospital order is not a sentencing option for somebody convicted of murder.

6 The term *discharge* refers to release into the community, by whatever means, with or without restrictions. These may be granted by either the Secretary of State or a Mental Health Review Tribunal (which is an independent body with discharge powers discrete from those of the Home Secretary). *Conditional discharges* require discharged patients to abide by a number of conditions, which if broken, may result in the patient being recalled to hospital. The term *disposal* covers all other outcomes and movements (e.g. returns to custody) other than a transfer to another hospital in England and Wales.

Legislative Framework

7 The key legislation affecting this bulletin includes the Mental Health Act 1959, the Mental Health Act 1983 and the Criminal Procedure (Insanity) Act 1964 as amended by the Criminal Procedure (Insanity and Unfitness to Plead) Act 1991. The 1959 Act was amended by the Mental Health (Amendment) Act 1982 and was then consolidated by the 1983 Act which was largely implemented on 30 September 1983. The provisions of the two Mental Health Acts are similar and references below are to the 1983 Act only. The equivalent sections in the 1959 Act were given in the bulletin covering 1989 and 1990 figures (Issue 29/91). The 1983 Act provides for:

- i. the admission to hospital by the courts of convicted offenders who satisfy certain conditions (sections 37(1) & (2));
- ii. the admission of an unconvicted offender to hospital by the courts where they are satisfied that the person concerned meets the criteria for admission and has done the act or made the omission with which charged (section 37(3));
- iii. the imposition of a hospital order on unsentenced prisoners in their absence and without conviction for an offence (section 51(5));
- iv. the recall to hospital, by order of the Secretary of State, of patients subject to restriction orders who were conditionally discharged (section 42(3));
- v. the admission to hospital, subject to restrictions, of patients ordered to be detained during Her Majesty's Pleasure (section 46);

- vi. the transfer to hospital, by order of the Secretary of State, of prisoners serving a sentence in a Prison Service establishment (section 47). Under section 49 these patients can be made subject to restrictions, which have the effect of requiring the Secretary of State's consent on all matters relating to leave of absence, transfer or discharge. Section 41 contains similar provisions for those with hospital orders;
- vii. the transfer to hospital, by order of the Secretary of State, of an unsentenced or untried defendant in criminal proceedings who is held in a Prison Service establishment (section 48). In this case restrictions are mandatory. Civil prisoners and persons detained under the Immigration Act 1971 may also be admitted under this section, but restrictions are not mandatory.
- viii. the transfer of patients from one part of the United Kingdom, Channel Islands or the Isle of Man to another. Those transferred to England and Wales are treated as if they had been admitted to hospital under the Act, so that some of them will, in effect, be subject to restricted hospital orders (part VI).

8 Section 2 of the Trial of Lunatics Act 1883 enables juries to return a verdict of acquittal on grounds of insanity, and Section 4 of the Criminal Procedure (Insanity) Act 1964, as substituted by Section 2 of the Criminal Procedure (Insanity and Unfitness to Plead) Act 1991 enables them to find a defendant unfit to plead. The 1991 Act also gives courts a range of disposal options ranging from an admission order with restrictions to an absolute discharge.

9 In relation to disposals and discharges the Mental Health Act 1983 provides for:-

- i. the removal of a restriction order by the Secretary of State either conditionally or absolutely so that the hospital order continues unrestricted (section 42(1));
- ii. the discharge of a patient with a restriction order, either conditionally or absolutely, by the Secretary of State, and the termination of the restriction order where discharge is absolute (section 42(2));
- iii. the return to Prison Service establishments of sentenced prisoners (section 50(1)a);
- iv. the release of sentenced prisoners on licence (section 50(1)b);
- v. the release of sentenced prisoners on completion of sentence (sections 50(2) & 50(4));

- vi. the return of unsentenced prisoners to a Prison Service establishment to await court action where the Secretary of State or the court is satisfied that they no longer require treatment or no effective treatment is available (sections 51(3) & (4) respectively);
- vii. the transfer direction ceases to have effect in respect of untried prisoners at the end of their remand period, unless they are subject to further remand or committal for trial (section 52(2));
- viii. the direction or recommendation by a Mental Health Review Tribunal, of the discharge of a patient either conditionally or absolutely (sections 72-74).

Sources of Information

10 The information from 1993 onwards comes mainly from the Home Office computer system for managing its casework on mentally disordered offenders. This system was introduced during 1993 and, because of difficulties with the conversion of past records and incompleteness of 1993 data, a considerable amount of validation of the information was undertaken. For details concerning the changes made to the 1992 data as a result, and the subsequent revision of 1994 information, see bulletin 20/96. A further revision in 1996 of the data processing system (explained in bulletin 20/96) means that figures for 1995 onwards may not be entirely comparable with those for 1993 and 1994. Figures for 2003 have been revised from those published in bulletin 16/04. This is the result of continuous efforts aimed at improving data quality. As a result, admissions have increased by 21. Information for 2003 and 2004 is based on a statistical extract taken from the casework system on 03 October 2005. The information on unrestricted patients in Table 18 is from the Home Office database on court proceedings statistics.

11 The data from the casework system is supplemented by, and cross-checked against, information from copies of court orders provided by hospitals and from admission, discharge and transfer warrants, and transfer letters, held in the Home Office. Checks are also made against half-yearly returns from hospitals of admissions, transfers and discharges. Since 1993 a count of the population of restricted patients in hospitals on 31 December has also been carried out, using yearly returns from hospitals.

Definition of an admission

12 Patients transferred to or from a hospital in England and Wales are counted as admissions or discharges respectively in this bulletin; this does not apply to those transferred between hospitals in England and Wales. Patients can be admitted to, or discharged from, hospital more than once during a year, reflecting a change of legal category for example; each event has been included in the relevant tables. In particular, patients transferred from prison to

hospital while unsentenced or untried can reappear in the figures as admitted under restricted hospital orders. There were some patients who were admitted more than once in 2004. In the population tables, however, such patients are counted only once. A few patients are held under more than one order or warrant; they are counted once only in the population tables. Similarly, patients in prison subject to a current order for detention in hospital do not appear in the population tables.

Definition of time spent in hospital

13 The time spent in hospital for the *other legal categories* (see Tables 14 and 15) does not represent a continuous period, but a cumulative total of all the periods patients have spent in hospital throughout their lives. It does not include any time spent in the community or elsewhere when patients were not detained subject to restrictions within hospital.

Reconviction rates

14 The reconviction information in this bulletin is derived from the Offenders Index, a database which contains the criminal histories of all those convicted of a 'standard list' offence, in England and Wales, from 1963. The standard list of offences covers all indictable offences (including triable either way offences) and certain summary offences. The current coverage of standard list offences is given in appendices 3 and 4 of '*Criminal Statistics, England and Wales 2003*'. (These may differ slightly to definitions in the 2005 Home Office Statistical Bulletin '*Crime in England and Wales 2004/2005*'). Grave offences are a subset of standard list offences defined as all indictable only offences for which the maximum sentence is life imprisonment plus arson not endangering life (which is triable either way). Grave offences are mainly offences of homicide, serious wounding, rape, buggery, robbery, aggravated burglary and arson.

15 Expected reconviction rates in table 17a are produced by the Offender Group Reconviction Scale (OGRS) which predicts, from a limited number of criminal history and demographic factors, the probability that an offender will be reconvicted within two years of first release. For more information, please visit <http://www.homeoffice.gov.uk/rds/pdfs/r104.pdf>

Rounding and accuracy

16 Although care has been taken in compiling the figures in this bulletin a degree of inaccuracy is inherent in all statistical recording systems. Figures are generally shown to the last digit to provide a comprehensive record of the information collected but are not necessarily accurate to the last digit shown. Where percentages are given, they may not add exactly to 100 because of independent rounding.

Symbols used

17 The following symbols have been used in this bulletin:-

- i. .. not available
- ii. - nil

Other Sources of Statistics

18 Statistics of mentally disordered offenders within the criminal justice system and of other mentally ill patients in hospitals are available from other sources. Statistics on all patients formally admitted or detained for psychiatric care under the 1983 Mental Health Act in England are available from the Department of Health, including information on:

- i. offenders admitted following remand to hospital for reports (section 35) or treatment (section 36);
- ii. non-offenders admitted following authorisation by a court to search for and remove a patient to a place of safety (section 135);
- iii. patients admitted following removal from a public place to a place of safety by the police (section 136).

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19 In addition to the data in this bulletin and Department of Health publications on hospital admissions, information is available on court disposals as follows:

- i. Home Office figures on probation orders with a condition of psychiatric treatment (residential or non-residential) made under section 3 of the Powers of Criminal Courts Act 1973 are published in an annual volume 'Offender Management Caseload Statistics, England and Wales' (for availability see Note 20);
- ii. information on sentencing is published in an annual volume 'Sentencing Statistics, England and Wales' (for availability see Note 20).

Further Information

20 This bulletin has been prepared by the Research Development and Statistics Directorate of the Home Office. In addition, the authors would like to thank Nigel Battson for his help in producing this bulletin.

This bulletin and many of our publications are available to be read on screen or downloaded for printing on the RDS website at:

<http://www.homeoffice.gov.uk/rds/index.htm>

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