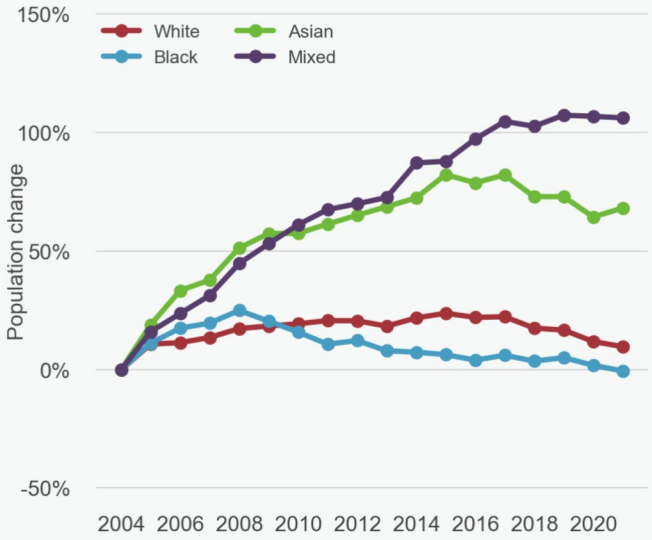
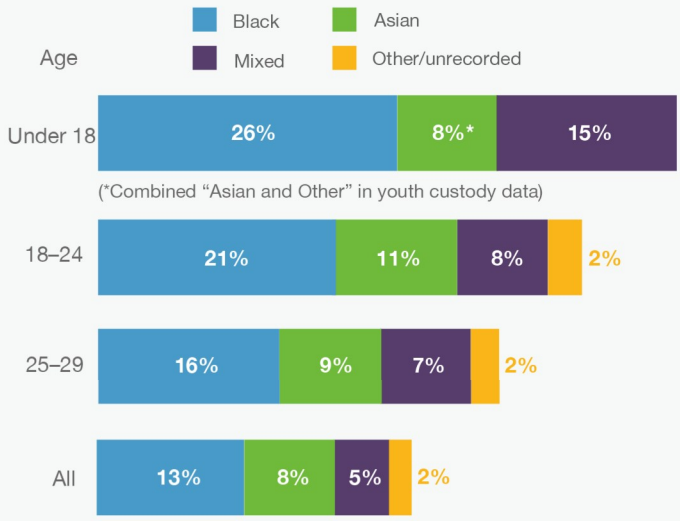
Black, Asian and minority ethnic people in prison

The number of Asian and mixed ethnicity prisoners has risen sharply since 2004



Source: Offender management statistics, Prison population 2021

BAME overrepresentation is greatest amongst younger prisoners



Source: House of Lords written question HL3924, 24 November 2021 and Monthly youth custody report, September 2021

Over a quarter (27%) of the prison population, 21,804 people, are from a minority ethnic group. The largest minority ethnic groups are Black or Black British (13%), followed by Asian or Asian British (8%), Mixed (5%) and other ethnic groups (2%).[47]

The economic cost of black, Asian and minority ethnic (BAME) over-representation in our prison system is estimated to be £234 million a year.[48]

Research has found a clear direct association between ethnic group and the odds of receiving a custodial sentence. Black people are 53%, Asian 55%, and other ethnic groups 81% more likely to be sent to prison for an indictable offence at the Crown Court, even when factoring in higher not-guilty plea rates.[49]

Black and Asian people in prison are more likely to be serving long sentences than other groups. 17% of people in prison on a life sentence identify as black, and 8% as Asian. 15% of people serving a determinate sentence of over 20 years identify as black, and 12% as Asian.[50]

The number of Muslim prisoners is now two and a half times higher than in 2002. In 2002 there were 5,502 Muslims in prison, by 2021 this had risen to 13,724.[51] They now account for 18% of the prison population but just 5% of the general population.[52]

Muslims in prison are far from being a homogeneous group. Some were born into Muslim families, and others have converted. 37% are Asian, 29% are black, 19% are white and 10% are mixed.[53]

Only 159 people, 1% of Muslims in prison, are currently there for Islamist extremist terrorism-related offences. The number of Muslims in prison for terror offences peaked at 192 in 2017. By contrast the number of people in prison for right-wing extremism has risen to 57, up from six people in 2016.[54]

5% of men and 7% of women in prison said that they are Gypsy, Roma or Traveller, compared to an estimated 0.1% of the general population in England. Inspectors found that most prisons they visited were still not aware of their existence or needs.[55]

Inspectors found that prison staff underestimate the cultural requirements of Gypsy, Roma or Traveller and BAME people in prison. A third of BAME prisoners said their ethnicity directly influenced their rehabilitation and resettlement planning, whereas almost no staff considered ethnicity to have any impact.[56]

47 Table 1.4, Ministry of Justice (2022) Offender management statistics quarterly: October to December 2021, London: Ministry of Justice
48 Kneen, H. (2017) An exploratory estimate of the economic cost of Black, Asian and Minority Ethnic net overrepresentation in the Criminal Justice System in 2015, London: Ministry of Justice
49 Hopkins, K., et al. (2016) Associations between ethnic background and being sentenced to prison in the Crown Court in England and Wales in 2015, London: Ministry of Justice
50 House of Lords written question HL3861, 23 November 2021 and House of Lords written question HL14483, 8 April 2021
51 Table A1.10, Ministry of Justice (2022) Offender management statistics, Prison population 2021, London: Ministry of Justice
52 Ibid. and Lammy, D. (2017) The Lammy Review, London: Ministry of Justice
53 House of Lords written question HL10577, 7 December 2020
54 Table P.01, Home Office (2022) Operation of police powers under the Terrorism Act 2000: quarterly update to June 2021, London: Home Office and Table A1.10, Ministry of Justice (2022) Offender management statistics, Prison population 2021, London: Ministry of Justice
55 HM Chief Inspector of Prisons (2020) Annual Report 2019–20, London: HM Stationery Office and Irish Traveller Movement in Britain (2013) Gypsy and Traveller population in England and the 2011 Census, London: ITMB and Office for National Statistics (2013) Annual Mid-year Population Estimates, 2011 and 2012, London: ONS
56 HM Inspectorate of Prisons (2020) Minority ethnic prisoners' experiences of rehabilitation and release planning, London: HMIP

Older people in prison

With prison sentences getting longer, more people are growing old behind bars. People aged 60 and over are the fastest growing age group in the prison estate. The population has more than trebled in under two decades.[57]

More than one in six people (17%) in prison are aged 50 or over—13,659 people. Of these, 3,561 are in their 60s and a further 1,699 people are 70 or older.[58]

The prison population is projected to grow by a quarter in the next four years. The government anticipates that the older population will increase at a similar rate.[59]

44% of men in prison aged over 50 have been convicted of sex offences. The next highest offence category is violence against the person (25%) followed by drug offences (8%).[60]

331 people in prison were aged 80 or over as of 31 December 2021. 329 were men and two were women.[61]

Life and indeterminate sentences

Many people in prison don't know when, or if, they might be released. 10,663 people are currently in prison serving an indeterminate sentence—16% of the sentenced prison population, up from 9% in 1993.[62]

Of those 10,663 people, 8,610 people have yet to be released. 7,056 people are serving a life sentence and 1,554 people are serving sentences of Imprisonment for Public Protection (IPP). The remainder, 2,053 people, are back in prison having been recalled from licence.[63]

Despite its abolition in 2012, almost all (96%) people still in prison serving an IPP sentence have passed their tariff expiry date—the minimum period they must spend in custody and considered necessary to serve as punishment for the offence.[64]

244 people are still in prison despite being given a tariff of less than two years—most of these (196 people) are still in prison over a decade after their original tariff expired.[65]

There are currently almost as many IPP-sentenced people being recalled back to prison as are being released. In the last 12 months 612 people serving an IPP sentence on licence were recalled and returned to custody, whereas only 734 people were either released for the first time or re-released having been previously recalled.[66]

7,056 people are currently in prison serving a life sentence. One in six (16%) have a tariff of 10 years or less, almost half (49%) have more than 10 and up to and including 20 years, and nearly a third (32%) have over 20 years.A further 661 and 1,392 people serving life and IPP sentences are in prison having been recalled.[67]

England and Wales have more people serving life sentences than Austria, Belgium, France, Germany, Italy, the Netherlands, Russia, and Sweden combined.[68]

Lifers continue to serve their sentence on release from prison for the rest of their lives. They are subject to monitoring and restrictions and can be returned to custody at any point if they break the terms of their licence.

There are currently 64 people serving a whole life sentence—they are unlikely to ever be released.[69]

The Legal Aid, Sentencing and Punishment of Offenders Act 2012 replaced IPP sentences with new Extended Determinate Sentences (EDS). While not indeterminate, they both extend the period of custody that offenders serve, and revoke automatic release at a fixed point in their sentence.

As of March 2022, there were 6,639 people serving EDS—one in 10 (10%) of the sentenced prison population. This figure is 10% higher than the previous year.[70]

57 Table A1.7, Ministry of Justice (2022) Offender management statistics, Prison population 2021, London: Ministry of Justice
58 Table 1.3, Ministry of Justice (2022) Offender management statistics quarterly: October to December 2021, London: Ministry of Justice
59 Table 4.1, Ministry of Justice (2021) Prison population projections 2021 to 2026, London: Ministry of Justice
60 House of Lords written question HL10578, 23 November 2020
61 House of Lords written question HL7259, 6 April 2022
62 Tables 1.1 and 1.9a, Ministry of Justice (2022) Offender management statistics quarterly: October to December 2021, London: Ministry of Justice and Ministry of Justice (2013) Story of the prison population: 1993–2012 England and Wales, London: Ministry of Justice
63 Table 1.9a, Ministry of Justice (2022) Offender management statistics quarterly: October to December 2021, London: Ministry of Justice
64 Ibid.
65 Table 1.9b, Ibid.
66 Tables 3.1, 5.4 and 5.11, Ministry of Justice (2022) Offender management statistics quarterly: October to December 2021, London: Ministry of Justice
67 Table 1.9a, Ibid.
68 Table 10, Aebi, M., et al. (2022) Council of Europe annual penal statistics, survey 2021, Strasbourg: Council of Europe
69 Table 1.9a, Ministry of Justice (2022) Offender management statistics quarterly: October to December 2021, London: Ministry of Justice
70 Table 1.1, Ibid.

Life and indeterminate sentences

The legacy of the IPP

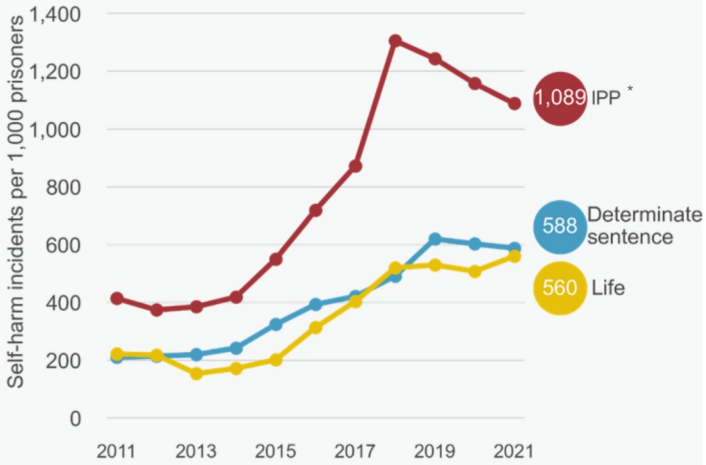
Nearly all are stuck in prison beyond tariff



Source: Offender management statistics quarterly: October to December 2021

Risk of harm?

IPP prisoners are more vulnerable to self-harm

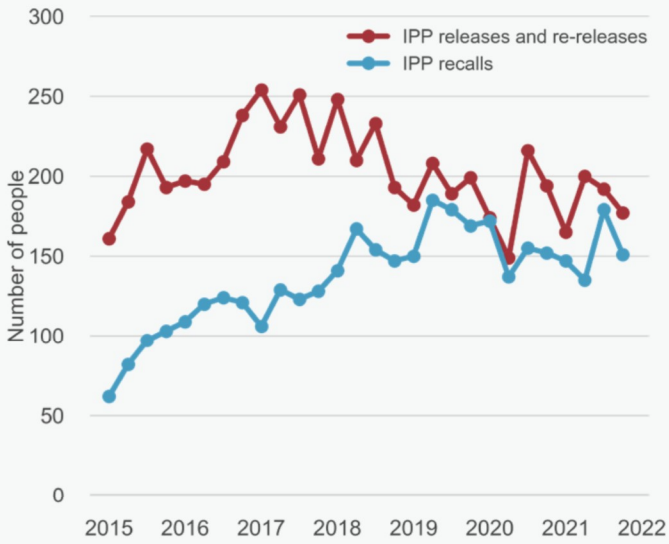


*Recalled population not included in the underlying data

Source: Safety in custody statistics quarterly update to December 2021 and Offender management statistics, Prison population 2021

Revolving doors

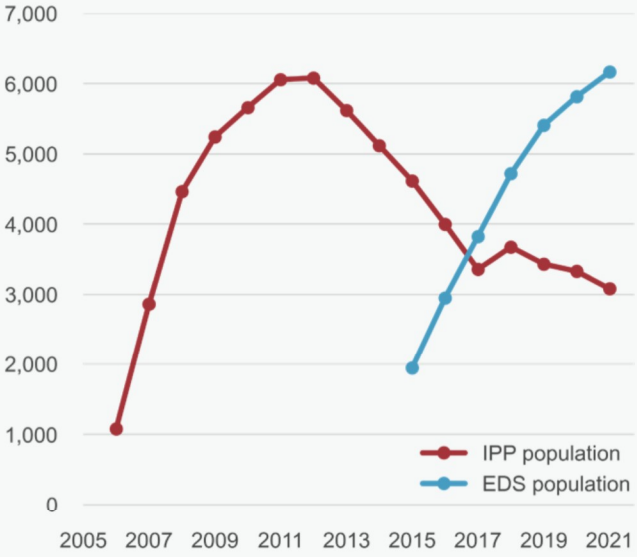
The gap between the number of people released from prison and the number recalled has closed in recent years



Source: Offender management statistics quarterly: October to December 2021

The new IPP?

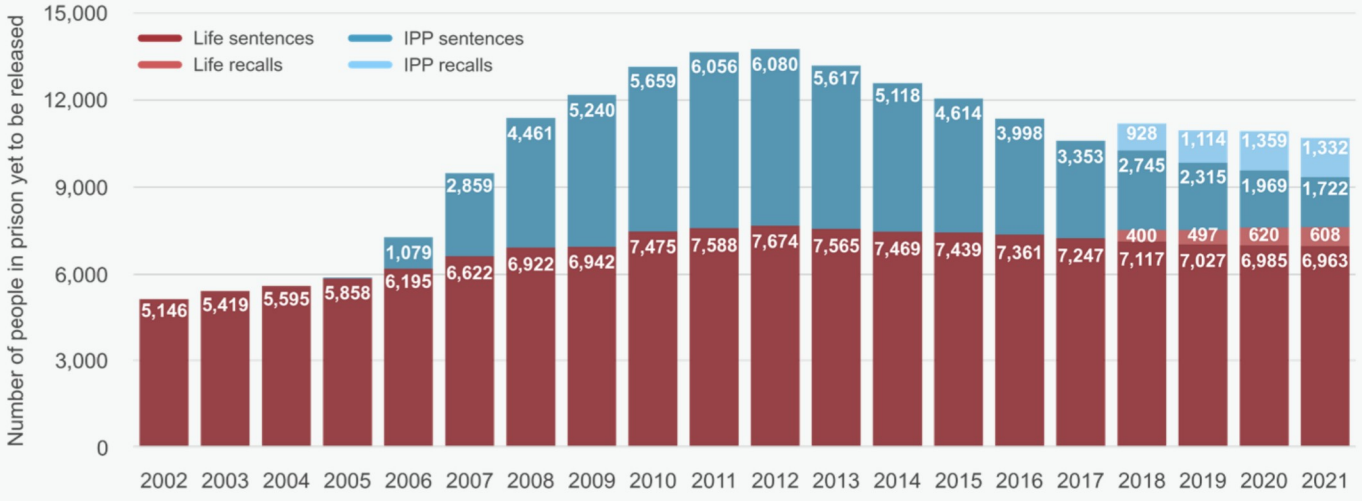
Extended Determinate Sentences now look likely to surpass the IPP sentences they replaced



Source: Offender management statistics quarterly: October to December 2021

The growth of indeterminate sentences

Use of indeterminate sentences has risen significantly—with recalls now driving up numbers again



Source: Offender management statistics, Prison population 2021 and Offender management statistics quarterly: June to August 2021