



Criminal Justice Statistics quarterly, England and Wales, year ending June 2021 (quarterly)

Main points

The most recent figures in this publication continue to show the impact of the pandemic on courts and the criminal justice system following guidance and restrictions since March 2020. Therefore, most recent trends reflect the restricted operation of courts followed by the recovery.

1.2 million individuals were dealt with by the CJS in the year ending June 2021 (excluding cautions)



The number of individuals formally dealt with by the criminal justice system (CJS) in England and Wales fell 5% in the latest year.

Prosecutions at magistrates' courts for indictable offences have almost recovered to levels seen before the COVID-19 pandemic



Overall prosecutions have risen in the latest quarter but remain some below levels a year ago and pre-pandemic. Prosecution volumes for indictable offences have almost recovered and rose in the latest year, whilst summary offence prosecutions fell by 10% in the latest year.

The proportion of defendants remanded on bail increased in the latest year



In the latest year, 16% of defendants were remanded on bail by police prior to appearing at court, 20% were remanded on bail at magistrates' court, and 32% at Crown Court.

The average custodial sentence length (ACSL) for all offences was 20.2 months



This is an increase of 0.8 months from the previous year, making the ACSL the highest it has been in a decade.

This publication provides criminal justice statistics for the latest 12-month period, presented alongside the same 12-month period for the previous year where available, more detail is available in the overview tables. Alongside this report we are publishing an ad-hoc table which breaks down proceedings, convictions and sentencing by month covering the period July 2019 to June 2021 to provide more detail on the impacts of the COVID-19 pandemic and highlighting potential increased volatility in the series during the recovery period.

We continue to review our data gathering, access and release practices during the pandemic, focusing efforts on priority analysis and statistics. Our [statement](#) explains this further. We have resumed access to the Police National Computer following the pause to minimise non-essential travel by our analysts. A backdated series for offender histories (quarterly data from year ending Q1 2021 and Q2 2021) has been provided alongside this bulletin. We expect cautions data to be reinstated in our Q4 release in May 2022. We will keep users updated of any further changes via our published release calendar.

Statistician's comment:

The figures published today continue to reflect the impact of the pandemic on court processes and prioritisation, in particular the reduced court activity during periods of restrictions and subsequent recovery.

Prosecutions for indictable offences have recovered to levels similar to before the pandemic, while monthly data shows summary offence prosecutions continue to recover.

The types of cases prioritised during the pandemic and pleas associated with these are likely to continue to affect the short-term fluctuations in custody rates and average sentence lengths. The latest annual data in the current period covers July 2020 to June 2021, and it shows a reduction in the proportion of those sentenced receiving custody (custody rate) – this is likely to at least in part be due to prioritisation of prosecutions most likely to result in custody in the early stages of the pandemic, and recently, more of the less serious cases showing in the data. In contrast, average custodial sentence lengths continue to increase, indicating that those cases resulting in custody remain amongst the most serious.

Change to note

Common Platform and reform to criminal court data¹

The 'Common Platform' is a new digital case management system for the magistrates' and Crown Courts. The system seeks to streamline data collection, data accessibility and improve the way criminal cases are processed across the Criminal Justice System. It will eventually replace the existing 'legacy' criminal court systems Libra (magistrates') and XHIBIT (Crown), with a single, streamlined system.

Early adopter courts across England and Wales have tested the system prior to roll-out to all criminal courts. Derbyshire magistrates' and Crown Court began this process in September 2020 and the roll-out has continued across England and Wales².

Court proceedings data recorded on the Common Platform are not included in this publication. It is estimated that in the period covered by this publication, a maximum of 7,700 cases from these courts are missing as a result. This accounts for less than 1% of published court proceedings data for this period. This proportion is expected to rise for future quarterly publications as the roll-out continues.

It is not yet known how significant the impact will be, but as a minimum we expect some series to be disrupted, and we may also decide to withhold or delay some publications of quarterly data. We are committed to ensuring that published statistics remain accurate, robust and coherent for users during the operational transition of data systems at the criminal courts.

For feedback related to the content of this publication, please contact us at CJS_Statistics@justice.gov.uk

¹ <https://www.gov.uk/government/news/common-platform-system-tested-in-criminal-courts>

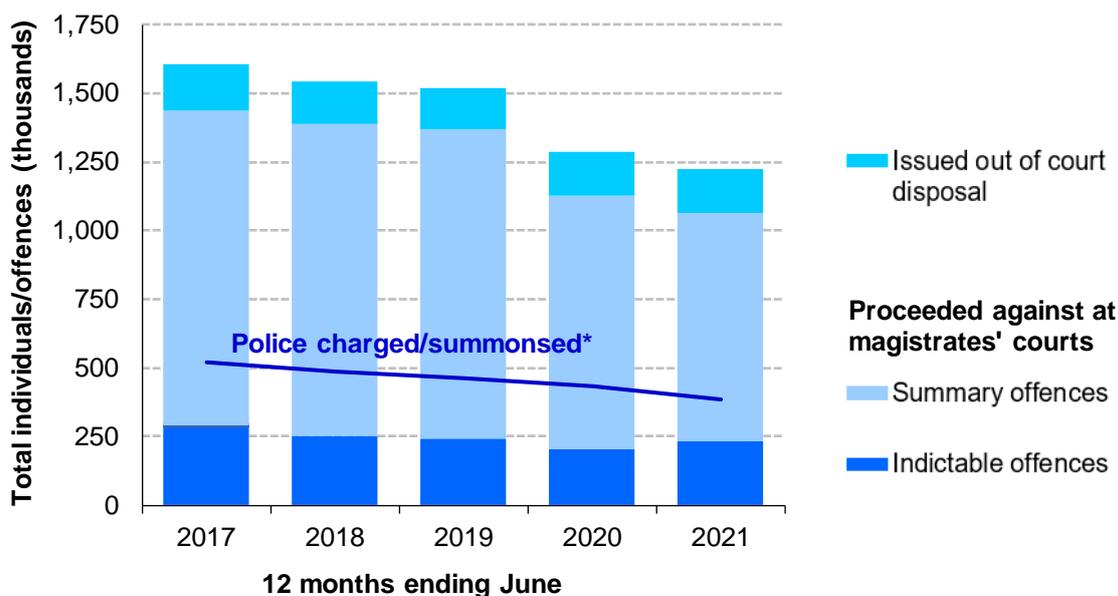
² <https://www.gov.uk/guidance/hmcts-common-platform-participating-criminal-courts>

1. Overview of the Criminal Justice System

1.2 million individuals were dealt with by the CJS in the year ending June 2021³

The number of individuals⁴ formally dealt with by the criminal justice system (CJS)⁵ in England and Wales has been declining since 2017 and fell 5% in the latest year.

Figure 1: Individuals dealt with formally by the CJS, offences resulting in a police charge/summons, 12 months ending June 2017 to 12 months ending June 2021 (Source: Tables Q1.1 and Q1.2)⁶



* Number of notifiable offences given a charged/summonsed outcome, excludes fraud offences

The number of defendants prosecuted at all courts fell by 6% in the latest year and a similar trend was seen in convictions (see the Prosecutions and Convictions chapter).

In the latest year, police recorded crime (excluding fraud) decreased by 3%; the number of charges recorded by the police decreased by 11%. Levels of outstanding cases at magistrates' court began to reduce as court recovery continued, with a 14% decrease in outstanding cases in Q2 2021 compared to the series peak of Q2 2020⁷. In response to the restrictions put in place due to the COVID-19 pandemic, the Judiciary published guidance on the prioritisation of listings⁸. During the reporting period, all offences likely to result in custody were prioritised which impacted outcomes such as custody rate and average custodial sentences.

³ Cautions are excluded due to prioritising access to the Police National Computer following the restrictions in place earlier in 2021 due to the COVID-19 pandemic.

⁴ An individual (includes companies) can be counted more than once in a year if dealt with by the CJS on multiple separate occasions.

⁵ The number of individuals formally dealt with by the CJS is the sum of all defendants prosecuted at magistrates' court plus all individuals issued an out of court disposal (including Penalty Notice for Disorder, cannabis/khat warnings and community resolutions).

⁶ Following the implementation of a new IT system, Greater Manchester have been unable to supply data since July 2019 so there will be missing data for OOCs and police charged/summonsed for 2019 and 2020.

⁷ For more information, see [Criminal court statistics quarterly: April to June 2021](#).

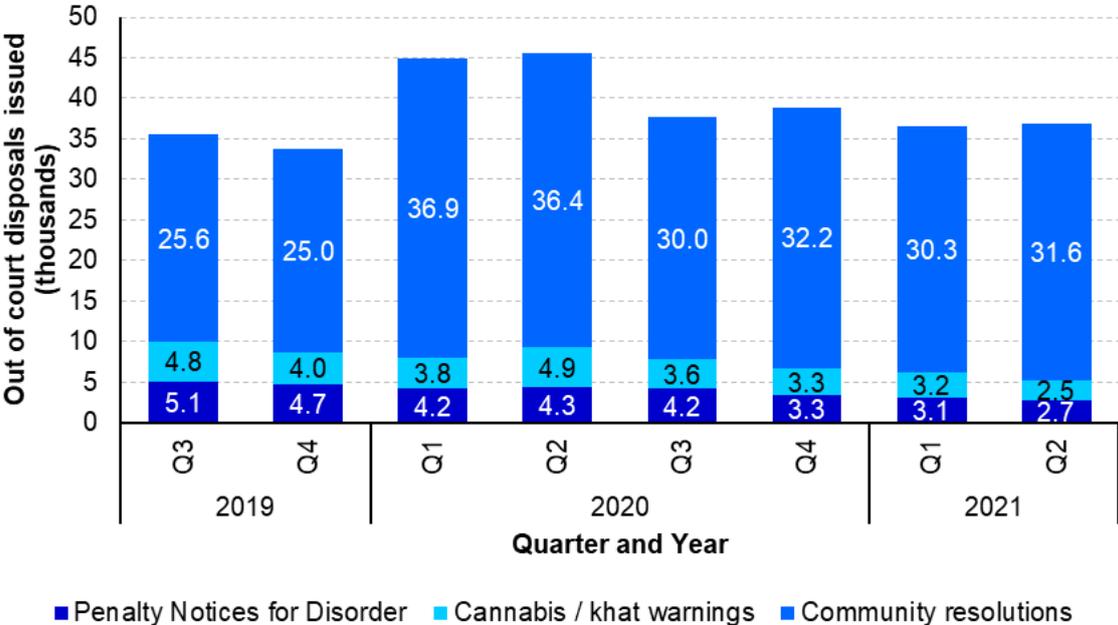
⁸ [Note on listing in magistrates' courts – COVID-19](#).

2. Out of Court Disposals⁹

The release of this quarter’s cautions data is delayed as we prioritise access to the Police National Computer following the restrictions earlier in the year linked to the COVID-19 pandemic. Our [statement](#) explains this further. Cautions are planned to be reinstated in May 2022 alongside the annual Criminal Justice System Statistics publication. A separate series on cautions issued by the police for notifiable offences is published by the Home Office and is available in their [Crime Outcomes data tables](#).

Out of court disposals (OOCs) are sanctions used by the police to address offences without the need to be dealt with at court. Excluding cautions, there were 150,000 OOCs in the year ending June 2021, a 6% decrease compared to the previous year. This decrease was driven by a 28% decrease in Penalty Notices for Disorder and a 27% decrease in Cannabis/Khat warnings, of which 12,600 were issued.

Figure 2: Out of court disposals (excluding cautions) issued, Q3 2019 to Q2 2021, England and Wales (Source: AH_1)¹⁰



The use of Penalty Notices for Disorder (PNDs) has continued to decline with 13,200 issued in the year ending June 2021, falling 28% from the previous year. The most common offences that resulted in a PND were possession of cannabis, accounting for 44% of PNDs issued, and drunk and disorderly behaviour accounting for 29%.

There were 124,000 community resolutions issued in the latest year, remaining stable when compared to the year ending June 2020.

⁹ Following the implementation of a new IT system, Greater Manchester were unable to supply data between July 2019 to March 2020. Numbers of OOCs presented in this chapter therefore exclude those issued by Greater Manchester Police in order to allow for a time series comparison and will be lower than the national total of OOCs issued. Figures both including and excluding Greater Manchester can be found in the tables published alongside this report.

¹⁰ Excluding Greater Manchester.

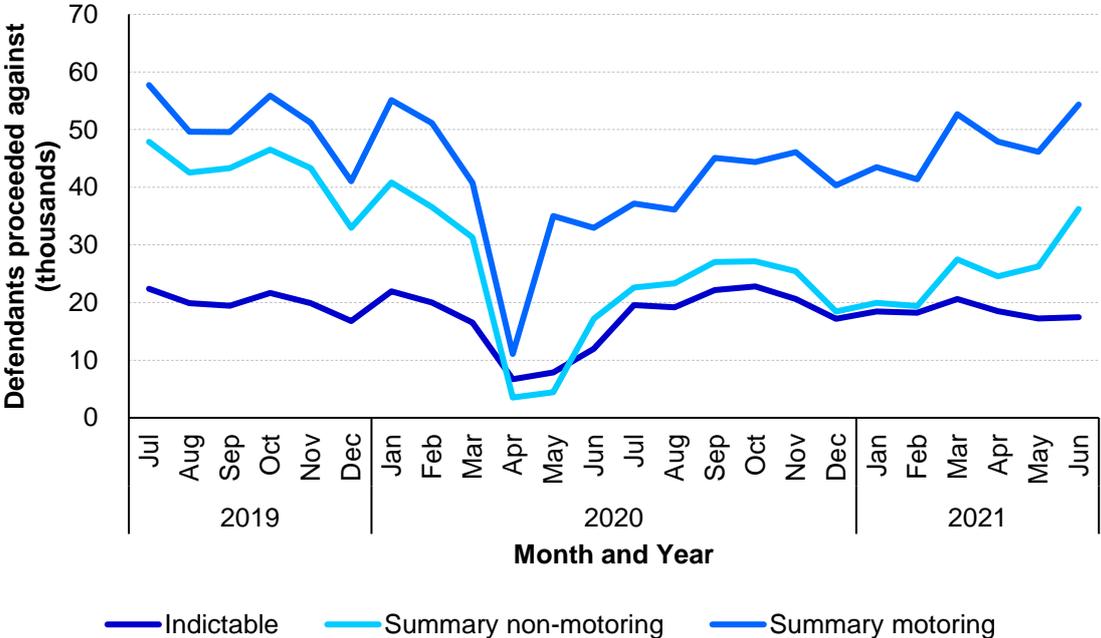
3. Court prosecutions and convictions

Prosecutions for indictable offences at magistrates’ courts have almost recovered to levels seen before the COVID-19 pandemic

Overall prosecutions have risen in the latest quarter but remain some way below levels pre-pandemic. Prosecution volumes for indictable offences have almost recovered to pre-pandemic levels, whilst summary offence prosecutions fell by 10% (due to summary non-motoring) overall in the latest year.

During this twelve-month period, 1.1 million defendants were proceeded against at magistrates’ courts, 5% fewer than in the year ending June 2020. However, prosecution volumes have increased by 10% overall in the latest quarter compared to Q1 2021.

Figure 3: Prosecutions at magistrates' courts, monthly by type of offence, England and Wales, July 2019 to June 2021 (Source: Table AH_1)



The reduction in prosecutions in the latest year is driven by lower volumes of defendants proceeded against for summary non-motoring offences (down 24% to 298,000). Prosecutions for summary motoring offences have increased by 1% to 535,000 while prosecutions for indictable offences rose by 13% to 232,000 in the latest year.

There were notable increases in defendants proceeded against for offences of violence against the person at 52,900 (24% higher than the year ending June 2020), sexual offences (up 32%) and drug offences (an increase of 37% to 52,100). Although total prosecutions for indictable offences have increased, the latest year saw a decline in proceedings against defendants charged with theft offences (down 14% to 44,300) and fraud offences (down 7% to 5,500).

The conviction trend for the latest year was similar to that of prosecutions. There were 909,000 offenders convicted at all courts in the year ending June 2021, a reduction of 7% compared with the previous year.

4. Remands

The proportion of defendants remanded on bail increased in the latest year

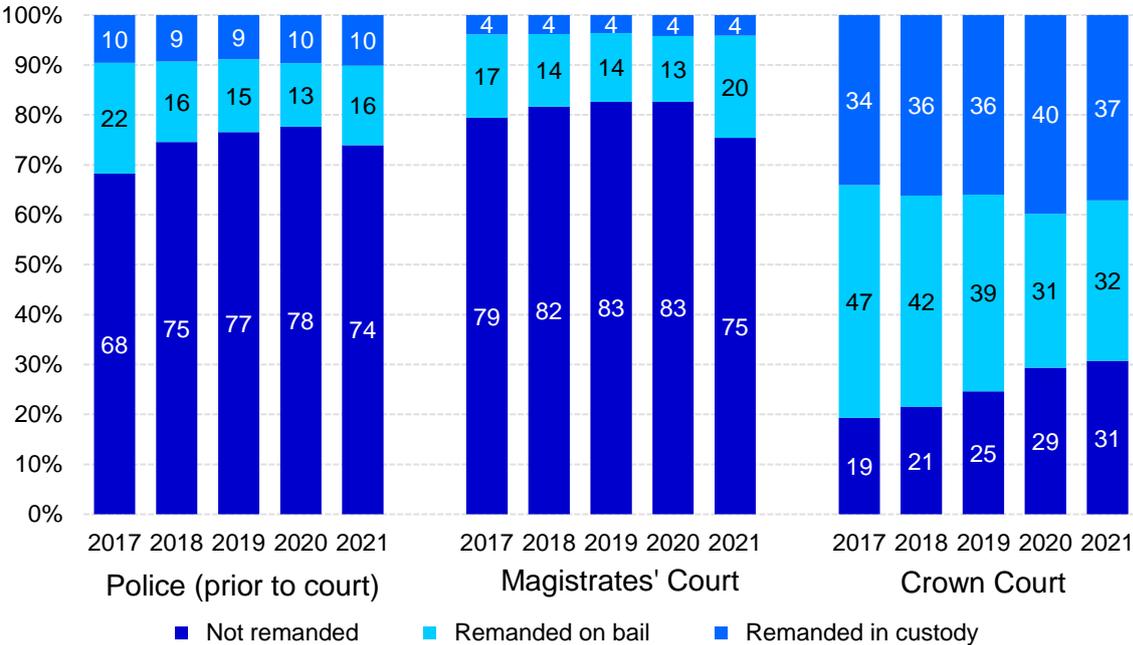
In the year ending June 2021, 16% of defendants were remanded on bail by police prior to appearing at court, 20% were remanded on bail at magistrates' court, and 32% at Crown Court.

In the year ending June 2021, 1.14 million defendants were directed to appear at magistrates' courts (including failures to appear). Prior to appearing at magistrates' 74% were not remanded (down from 78% a year earlier) and 10% were remanded in custody (unchanged).

At magistrates' court, the proportion of defendants granted bail increased to 20%, with 4% remanded in custody. The number of defendants granted bail increased across all offence types, particularly for triable either way offences.

At Crown Court, the proportion of defendants not remanded continued to increase. The proportion bailed also increased slightly while the proportion remanded in custody fell slightly. However, it is worth noting that volumes for each category actually increased in the latest year.

Figure 4: Defendants' remand status with Police (prior to court), at magistrates' courts and at Crown Court, year ending June 2017 to year ending June 2021 (Source: Tables Q4.1, Q4.2 and Q4.3)



Defendants are more often remanded in custody for indictable offences than summary offences, so the proportion remanded in custody at Crown Court is higher than at magistrates' courts. In the latest year, of the defendants remanded in custody at magistrates' courts, 11% were sentenced to immediate custody, and a further 66% were sent for trial or sentencing at Crown Court. Of those remanded in custody at Crown Court, 75% were sentenced to immediate custody. Of all defendants who were not remanded at Crown Court, 46% were sentenced to immediate custody.

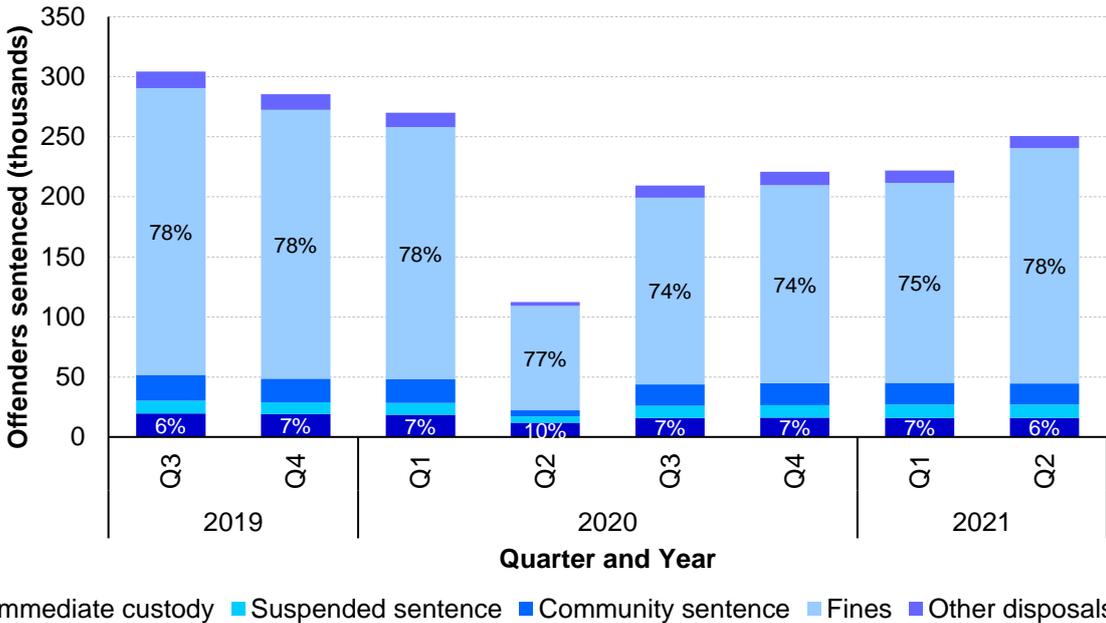
5. Sentencing

The average custodial sentence length (ACSL) for all offences was 20.2 months for the year ending June 2021

This is an increase of 0.8 months from the previous year, making the ACSL the highest it has been in a decade.

The number of offenders sentenced in 2021 was 7% lower compared to 2020 and figure 5 shows the quarterly recovery in these volumes since the start of the pandemic.

Figure 5: Number and proportions of each sentence type given each quarter, England and Wales, Q3 2019 to Q2 2021 (Source: Table AH_1)^{11 12}



Fines remained the most common sentencing outcome, accounting for 75% of all sentences given in the year ending June 2021. In the year ending June 2021, of the other sentencing outcomes, suspended and community sentence saw an increase to 5% and 8% respectively and immediate custody (7%) saw little change.

While the overall custody rate¹³ was unchanged, the rate for indictable offences saw a decrease from 35% to 30%, at least in part likely to be a result of changes in the types of cases passing through courts as the recovery continues. Although custody rates across indictable offence groups have fallen, the overall average custodial sentence length for indictable offences has increased, with a number of offence groups seeing higher averages in the latest year (criminal damage and arson, theft, and fraud in particular). The ACSL for sexual offences fell by 3.9 months to 55.9 months, however this has risen since the year ending March 2021 figure of 52.4 months and the total number of people sentenced for sexual offences has seen a 16% increase in the last year. Similarly, the custody rate for sexual offences fell in the latest year to 54.4, but this has increased since the year ending March 2021 (when it was 53.4).

¹¹ Other disposals include compensation, restriction orders, hospital orders, guardianship orders, police cells, and other disposals.

¹² Offenders includes persons, companies and public bodies, etc.

¹³ The proportion of immediate custodial sentences out of all sentences.

Further information

The data presented in this publication are provisional. Final data for each calendar year is published in May, following further data cleaning and the incorporation of additional cases not available in our original extracts of administrative data.

Accompanying files

As well as this bulletin, the following products are published as part of this release:

- A technical guide providing further information on how the data is collected and processed, as well as information on the revisions policy and legislation relevant to sentencing trends and background on the functioning of the criminal justice system.
- A set of overview tables and monthly data table, covering each section of this bulletin.

National Statistics status

National Statistics status means that official statistics meet the highest standards of trustworthiness, quality and public value. This bulletin recently underwent a compliance check with the Office for Statistics Regulation and retained its National Statistics status in May 2020¹⁴. All official statistics should comply with all aspects of the Code of Practice for Statistics. They are awarded National Statistics status following an assessment by the Authority's regulatory arm. The Authority considers whether the statistics meet the highest standards of Code compliance, including the value they add to public decisions and debate. It is the Ministry of Justice's responsibility to maintain compliance with the standards expected for National Statistics. If we become concerned about whether these statistics are still meeting the appropriate standards, we will discuss any concerns with the Authority promptly. National Statistics status can be removed at any point when the highest standards are not maintained and reinstated when standards are restored.



Future publications

Our statisticians regularly review the content of publications. Development of new and improved statistical outputs is dependent on reallocating existing resources. As part of our continual review and prioritisation, we welcome user feedback on existing outputs including content, breadth, frequency and methodology. Please send any comments you have on this publication including suggestions for further developments or reductions in content.

Contact

Press enquiries should be directed to the Ministry of Justice press office:

Tel: 020 3334 3536

Email: newsdesk@justice.gov.uk

Other enquiries about these statistics should be directed to the Data and Evidence as a Service division of the Ministry of Justice:

Damon Wingfield,

Responsible Statistician and Head of Criminal Courts & Sentencing Data and Statistics

Ministry of Justice

Email: CJS_Statistics@justice.gov.uk

Next update: 17 February 2022

URL: <https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-march-2021>

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Alternative formats are available on request from ESD@justice.gov.uk

¹⁴ <https://osr.statisticsauthority.gov.uk/correspondence/mark-pont-to-david-blunt-proven-re-offending-and-criminal-justice-system-statistics/>