



Criminal Justice Statistics quarterly, England and Wales, year ending March 2022

Main points

1.36 million individuals were dealt with by the Criminal Justice System (CJS) in the year ending March 2022, an increase of 21% in the latest year.



This increase reflects the recovery of the system following the COVID-19 pandemic. This number dealt with remains down by 12% from 1.56 million individuals formally dealt with by the CJS in the year ending March 2020.

Out of court disposals decreased overall in the latest year, despite an increase in community resolutions.



OOCs decreased by 5% in the most recent year and by 2% compared to 2020, despite the number of community resolutions increasing every year since 2018.

Prosecutions and convictions continue to recover following the impact of the COVID-19 pandemic.



Prosecutions increased by 27% in the latest year and convictions by 31%, but both remain lower than in the year to March 2020 (prosecutions 14% lower, convictions 13% lower).

The proportion of defendants remanded in custody at each stage returns to pre-pandemic levels.



In the latest year, 9% of defendants were remanded in custody by police prior to appearing at court, 4% were remanded in custody at magistrates' court and 38% at the Crown Court. These figures are broadly similar to pre-pandemic levels.

The average custodial sentence length (ACSL) for all indictable offences reached 25.7 months in the latest year, up from 16.8 months in 2012.



The latest year's increase in ACSL for indictable offences highlights the sustained rising trend since 2012, recovering from the decline seen in the previous year, to 3.7 months above levels shown immediately prior to the pandemic (22.0 months).

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. Where appropriate, the latest figures are compared with the corresponding period from two years ago, to limit the impact of the pandemic when comparing trends. Alongside this report we are publishing an ad-hoc table which breaks down proceedings, convictions and sentencing by month covering the period April 2020 to March 2022 to provide more detail on the impacts of the COVID-19 pandemic and highlighting potential increased volatility in the series during the recovery period.

Statistician's comment

The figures published today, for year ending March 2022, continued to be influenced by the impact of the COVID-19 pandemic on criminal court prosecutions and outcomes. The Criminal Justice System (CJS) is continuing to recover - prosecutions have increased by 27% in the latest year but remain 14% lower compared to pre-pandemic levels. Convictions have also increased in the latest year, by 31%, though they are down by 13% since the year ending March 2020. While the number of people convicted for most offence groups have fallen over the last two years, they have risen for violence and sexual offences in each of the last two years.

The custody rate for indictable offences has fallen slightly in the latest year to 32%. However, for those serious cases resulting in custody, average custodial sentence length continues to increase to a high of 25.7 months for indictable offences. This has increased year-on-year (from 16.8 in 2012), with the only decrease in year ending March 2021 likely due to the COVID-19 pandemic.

Introduction

This report presents key statistics on activity in the Criminal Justice System (CJS) for England and Wales. It provides commentary for April 2021 to March 2022 (referred to as the 'latest year').

The contents of this bulletin will be of interest to government policy makers in the development of policy and their subsequent monitoring and evaluation. Others will be interested in the way different crimes are dealt with in the CJS, trends in sentencing outcomes and understanding the impacts of the COVID-19 pandemic.

The recovery at the criminal courts continued following the impacts of the COVID-19 response. Most measures in this bulletin have been impacted by the COVID-19 response and the latest figures represent both a reflection of the pandemic response impact, recovery from that and the continuation of trends that were apparent prior to the pandemic.

Changes and revisions in this publication

From September 2020, some cases were recorded on the new Common Platform (CP) case management system. We have incorporated this data alongside both LIBRA and XHIBIT data for 2020, 2021 and 2022 in order to include them in our prosecutions, convictions, remands and sentencing figures. Therefore, figures in this edition may not be consistent with those previously published, due to the addition of CP data in this edition. For further information please see the Technical Guide.

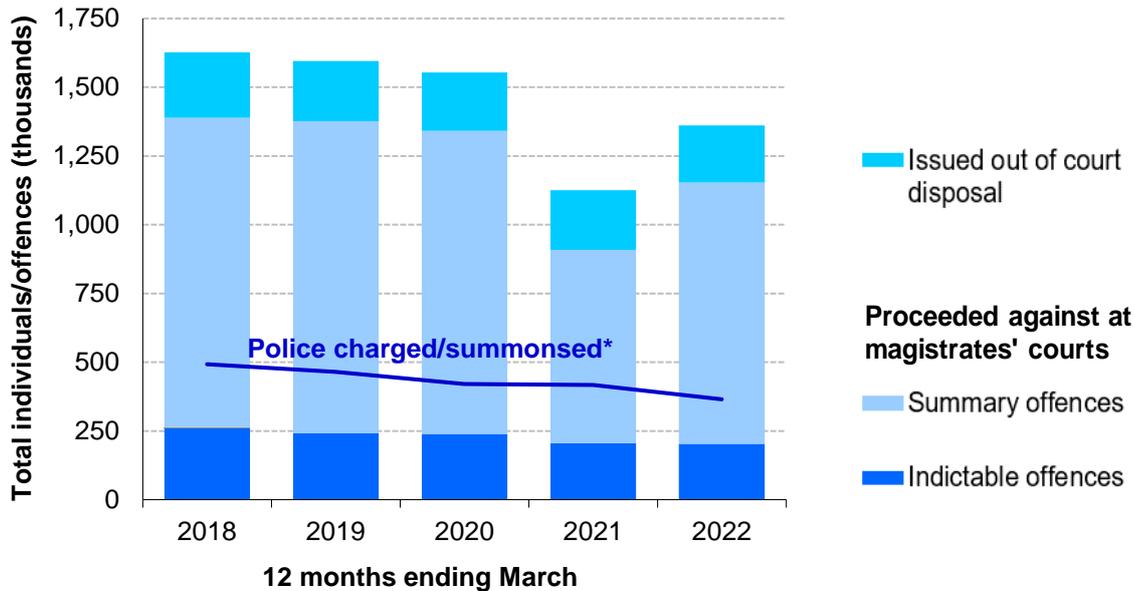
Offender Histories and First Time Entrants (FTE) data has been removed from the scope of this publication and is now part of a separate collection. Please see the Criminal Justice Statistics collection for more information.

1. Overview of the Criminal Justice System

1.36 million individuals were dealt with by the Criminal Justice System (CJS) in the year ending March 2022, an increase of 21% in the latest year.

This increase reflects the recovery of the system following the COVID-19 pandemic. This number dealt with remains down by 12% from 1.56 million individuals formally dealt with by the CJS in the year ending March 2020.

Figure 1: Individuals dealt with formally by the CJS, offences resulting in a police charge/summons, 12 months ending March 2018 to 12 months ending March 2022 (Source: Tables Q1.1 and Q1.2)¹



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

The number of defendants prosecuted at all courts increased by 27% in the latest year and a 31% increase was seen in convictions. This displays the recovery of court processes after the impacts of the COVID-19 pandemic. However, prosecutions remain 14% lower and convictions 13% lower than the year ending March 2020. These differences, compared with two years ago, vary by offence type - prosecutions and convictions for theft are down by over a third in that period, while those for violence (6% increase in prosecution, 9% in convictions) and sexual offences (7% increase in prosecutions, 19% in convictions) have risen.

In the latest year there was a 16% increase in police recorded crime² (including fraud), and a 13% decrease in the number of offences charged by the police³. This represents a continuation of trends prior to the pandemic.

¹ 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.

² The term 'notifiable' covers offences that are notified to the Home Office, and they are collectively known as 'recorded crime'. Notifiable offences include all indictable and triable-either-way offences (excluding section 6 of the Bail Act 1976), together with certain closely associated summary offences. Police recorded crime statistics cover notifiable offences.

³ [Police recorded crime and outcomes open data tables.](#)

2. Out of Court Disposals

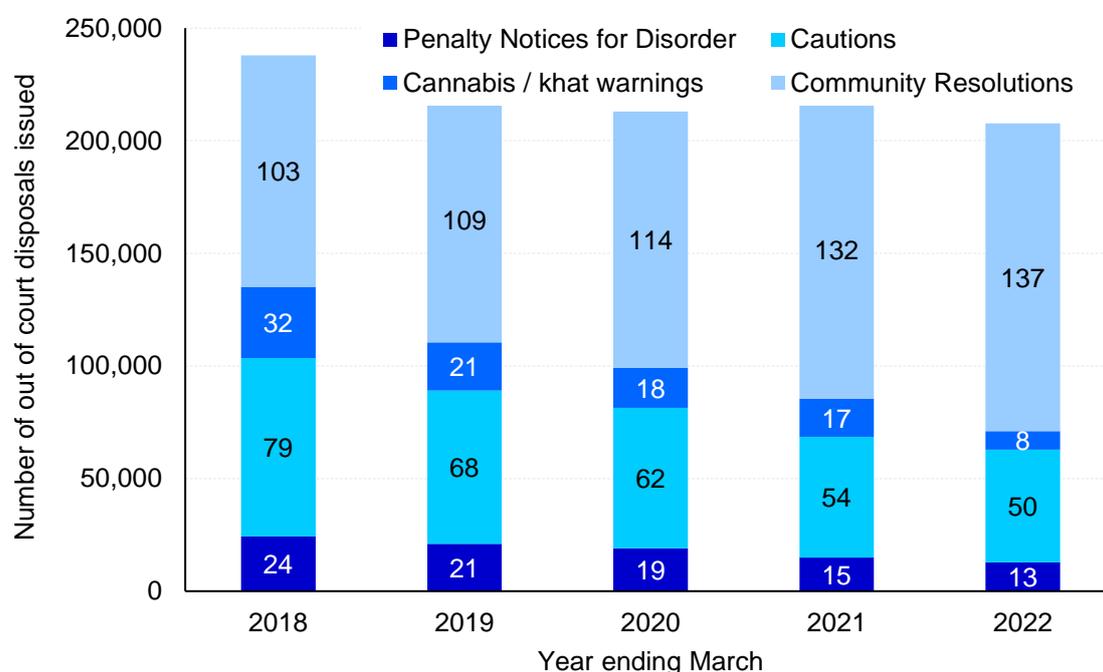
Out of court disposals decreased overall in the latest year, despite an increase in community resolutions.

OOCs decreased by 5% in the most recent year and by 2% compared to 2020, despite the number of community resolutions increasing every year since 2018.

Out of court disposals (OOCs)⁴ are sanctions used by the police to address offences without the need to be dealt with at court. There were 208,000 OOCs issued in the year ending March 2022, a 5% decrease compared to the previous year and a 2% decrease compared to pre-pandemic levels.

The decrease in OOCs in the latest year was largely driven by a fall in Cannabis / khat warnings which, despite being the smallest proportion of OOCs (4%), more than halved from 17,100 to 8,200, compared to year ending March 2021.

Figure 2: Number of out of court disposals (OOCs) issued year ending March 2018 to year ending March 2022, England and Wales (Source: Q1.1)⁵



Community resolutions, the largest proportion of OOCs (66%), have increased every year since 2018. In 2022, community resolutions were the only OOC to increase - increasing 3% compared to year ending March 2021 and increasing 33% compared to year ending March 2018. As explained by [Home Office \(see drug offences section\)](#), differing policies on out of court disposals amongst some police forces means some use community resolutions in favour of cannabis warnings for possession of cannabis, where appropriate.

The use of Penalty Notices for Disorder (PNDs) continued to decline, with 12,800 issued in the year ending March 2022, decreasing 14% from the previous year. Over two thirds of the PNDs issued in the year ending March 2022 were for being drunk and disorderly (45%) or possession of cannabis offences (32%).

In the year ending March 2022, 50,000 offenders received a simple or conditional caution⁶. Cautions decreased in the year ending March 2022, by 7% compared to 2021 and by 20% compared to pre-pandemic levels in 2020. Over half (55%) of cautions issued were for indictable offences.

⁴ Some police forces have moved to reduce the types of out of court disposals used for adult offenders. In these areas, the only out of court disposals used are community resolutions and conditional cautions. Cannabis/Khat warnings will not be used.

⁵ Following the implementation of a new IT system, Greater Manchester Police were unable to supply outcomes data from July 2019 to March 2020, so there will be missing data for the year ending March 2020.

⁶ Cautions are presented on a principal offence and principal caution basis, where only the most serious caution received is reported. See the technical guide for more information.

3. Court prosecutions and convictions

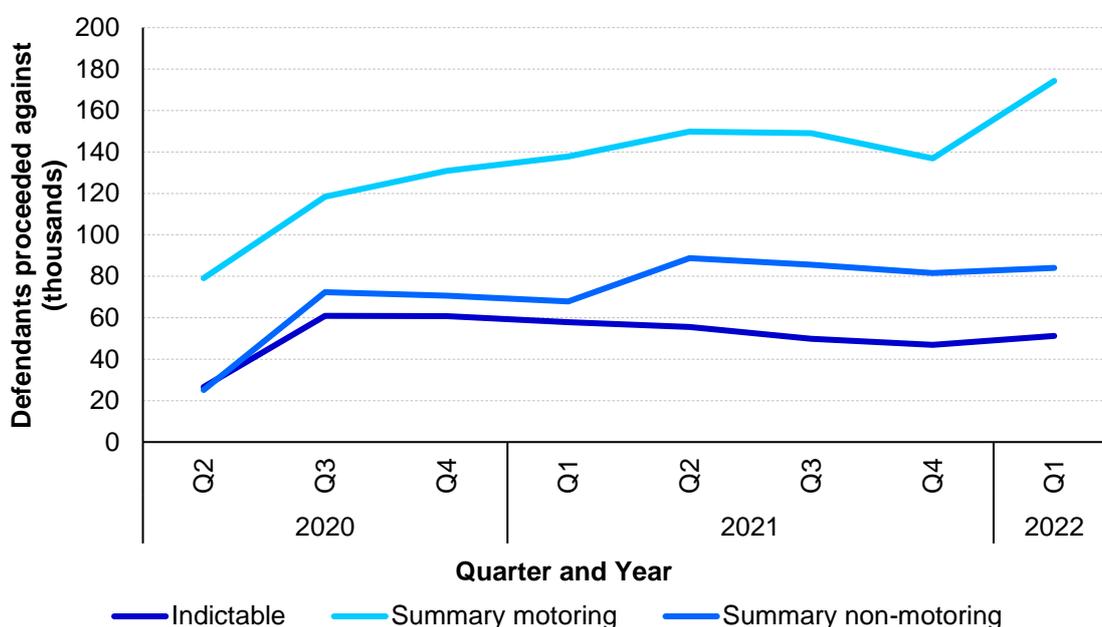
Prosecutions and convictions continue to recover following the impact of the COVID-19 pandemic.

Prosecutions increased by 27% in the latest year and convictions by 31%, but both remain lower than in the year to March 2020 (prosecutions 14% lower, convictions 13% lower).

In the year to March 2022, prosecutions and convictions continued to increase following the court recovery from the COVID-19 pandemic. There were 1.15 million defendants proceeded against at magistrates' courts in the latest year, 27% higher than in the year to March 2021 but 14% lower than in the previous year (pre-pandemic).

The increase in the latest year was driven by a 31% rise in prosecutions for summary motoring offences, recording the highest volume seen in the last 10 years, and a 44% rise in summary non-motoring offences.

Figure 3: Prosecutions at magistrates' courts, quarterly by type of offence, England and Wales, April 2020 to March 2022 (Source: Table AH_1)



Prosecutions for sexual offences were 1% higher in 2022 than in 2021 (and 7% higher than in the year ending March 2020), increasing for the third consecutive year. Prosecutions for violence against the person offences increased by 4% between 2021 and 2022. In contrast, prosecutions for robbery, fraud and drug offences decreased between 2021 and 2022.

In the year ending March 2022, there were 1.01 million offenders convicted at all courts, 31% higher than in the previous year, but 13% lower than in the year to March 2020. Trends in convictions for indictable offences tend to lag prosecutions due to the way the two metrics are counted in the data and the time taken between completing proceedings in the magistrates' court (counted as prosecutions) and cases completing at Crown Court (convictions). However, convictions for sexual offences rose 39% compared with a year earlier, and 19% compared with the year ending March 2020. Convictions for theft and fraud showed little change over the last year but were down 39% and 45% respectively on the year ending March 2020.

4. Remands

The proportion of defendants remanded in custody at each stage returns to pre-pandemic levels.

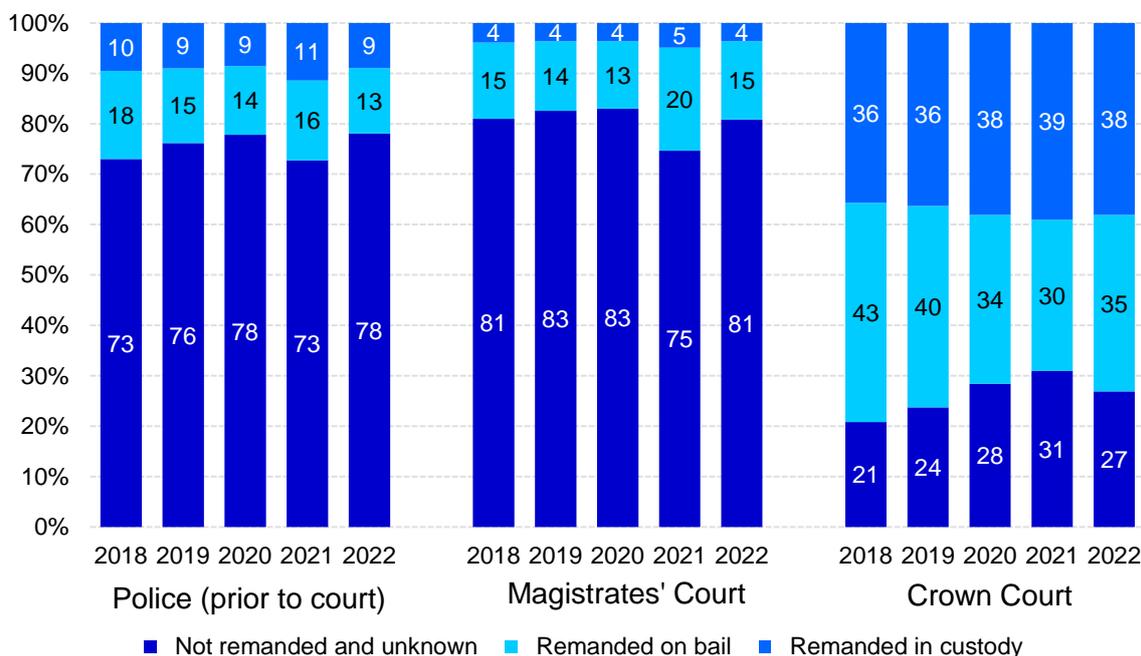
In the latest year, 9% of defendants were remanded in custody by police prior to appearing at court, 4% were remanded in custody at magistrates' court and 38% at the Crown Court. These figures are broadly similar to pre-pandemic levels.

In year ending March 2022, 1.2 million defendants were directed to appear at magistrates' courts (including failures to appear). Those arrested and bailed represented 13% of all defendants directed to appear at magistrates' courts in the latest year, a 3-percentage point decrease compared to 2021. Defendants remanded in custody by police represented 9% of defendants at this stage, down 2 percentage points compared to 2021 and back to 2020 levels. This was likely driven by a 34% increase in the number of defendants dealt with for summary offences in 2022 compared to 2021, with only 13% of this cohort receiving a remand status.

This trend continued through to magistrates' court, where there was a 34% increase in the number of defendants dealt with for summary offences in 2022 compared to 2021, with only 9% of this cohort receiving a remand status. The proportion of defendants remanded in custody returned to pre-pandemic levels at 4%, whilst those remanded on bail remained 2 percentage points higher than 2020 at 15%.

At Crown Court, the total number of defendants remanded was up 25% since year ending March 2021 and 6% since 2020, aligning with pre-pandemic volumes. The proportion of defendants remanded in custody returned to pre-pandemic levels at 38%, whilst those remanded on bail remained 1 percentage point higher than 2020 at 35%.

Figure 4: Defendants' remand status with Police (prior to court), at magistrates' court and Crown Court, year ending March 2018 to year ending March 2022 (Source: Tables Q4.1, Q4.2 & 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, 12% were sentenced to immediate custody, and a further 65% were committed for trial or sentencing at Crown Court. Of those remanded in custody at Crown Court, 73% were sentenced to immediate custody.

5. Sentencing

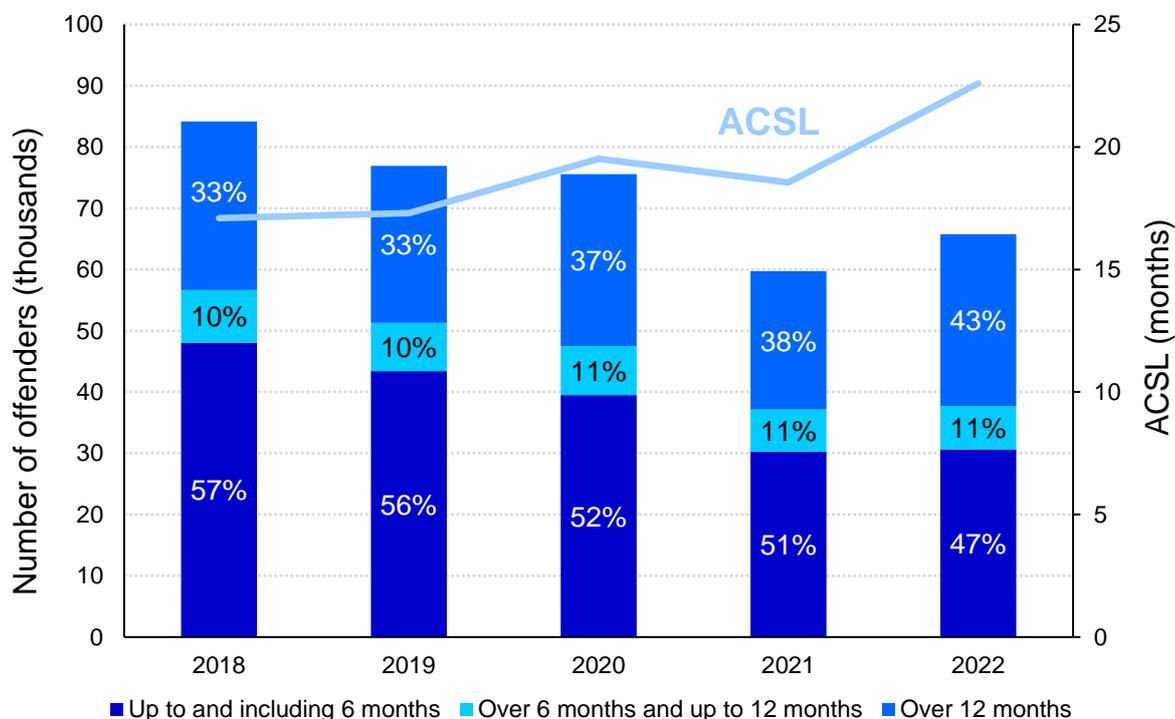
The average custodial sentence length (ACSL) for all indictable offences reached 25.7 months in the latest year, up from 16.8 months in 2012.

The latest year's increase in ACSL for indictable offences highlights the sustained rising trend since 2012, recovering from the decline seen in the previous year, to 3.7 months above levels shown immediately prior to the pandemic (22.0 months).

The overall number of offenders sentenced in the year ending March 2022 was 1.0 million, a 31% increase on the previous year. However, this figure is down 13% from levels seen in year ending March 2020.

The largest difference was seen in summary non-motoring offences with an increase of 51% to 285,000 in the latest year. However, this figure remains 33% lower than pre-pandemic levels seen in the year ending March 2020.

Figure 5: Offenders sentenced to immediate custody at all courts, by sentence length, 12 months ending March 2018 to 12 months ending March 2022, in England and Wales. ACSL plotted on the secondary axis. (Source: Table Q5.4)



The latest year saw a 37% increase in the volume of defendants issued fines, with the largest contributor, summary non-motoring offences, increasing by 93,000 (64%). This remained the most common sentencing outcome across all offences, accounting for 78% of all sentences given in the year ending March 2022, an increase of 3 percentage points on the previous year.

The custody rate for indictable offences has risen from 26% in the year ending March 2012 to 32% in the latest year, a slight decrease from levels seen in the last two years. The largest increase was seen in fraud offences which rose by 5 percentage points from the year ending March 2020 to a custody rate of 31%. Drug offences also increased by 4 percentage points since 2020 to 28% in the latest year.

The ACSL for all offences was 22.6 months, an increase of 4 months on the previous year and 3.1 months on the year ending March 2020 – up from 14.3 months in 2012. This likely represents the rise in the proportion of sentences over 12 months in the latest year, as shown in figure 5. Average custodial sentence lengths for sexual offences (including rape) increased by 11.2 months compared to year ending March 2021 and by 4.4 months from the year ending March 2020. The increase in ACSL for sexual offences is likely to be partly due to the continuation of the increased volume of rape sentences seen in the previous publication (for calendar year 2021).

Further information

Presented here is the data for year ending March 2022. Data for year ending March 2022 remain provisional until December 2022, following further data cleaning and the incorporation of additional cases not available in our original extracts of administrative data.

Accompanying files

- A technical guide with information on data collection and processing, information on the revisions policy, legislation relevant to sentencing trends and background on the Criminal Justice System.
- A user guide listing all products in each of the quarterly and annual releases of this publication.
- A set of overview tables, 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 2020⁷. 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.

Contact

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

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

⁷ <https://osr.statisticsauthority.gov.uk/correspondence/mark-pont-to-david-blunt-proven-re-offending-and-criminal-justice-system-statistics/>