



Ministry of  
**JUSTICE**



**Criminal Justice Statistics**  
**Quarterly Update to December 2010**  
Ministry of Justice  
Statistics bulletin

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## Introduction

This report has been developed as part of the consultation in late 2010 and early 2011 by the Ministry of Justice on “Improvements to Ministry of Justice Statistics”. From the results of the consultation the majority of the respondents were supportive of the proposals as they pertain to this publication. The main points from the consultation that affect this publication are:

- The introduction of the concept of “Formally Disposed Offending”. For ease of reference in this publication it is known as “Proven Offending”;
- Publishing quarterly the latest year (12 months) data on a rolling basis;
- The introduction of a technical document titled “Criminal Justice Statistics: Background, Definitions and Measurement”. This document provides users with detailed information on the concepts and methods used in compiling this bulletin, including the quality of the data. A copy of the technical document can be found at: [www.justice.gov.uk/publications/statistics-and-data/criminal-justice/criminal-annual.htm](http://www.justice.gov.uk/publications/statistics-and-data/criminal-justice/criminal-annual.htm)

This bulletin presents key statistics on activity in the Criminal Justice System (CJS) for England and Wales. It provides information for the latest twelve months (to December 2010) with accompanying commentary, analysis and longer term trends. For each type of process a brief description of the function is included with an explanation of some of the main procedures involved.

Where appropriate comparisons are made between sources covering activity in the CJS. In particular, comparisons are made to numbers of crimes recorded by the police (often the starting point for crimes dealt with by other CJS agencies) rather than estimates from the British Crime Survey (BCS). The BCS provides robust estimates of trends in crimes against the population resident in households, including those never reported to the police, but excludes other crimes such as those against businesses or so-called ‘victimless’ crime. Therefore police recorded crime provides a more meaningful comparison for measures relating to the wider CJS. Findings from the BCS and recorded crime are published together in statistical bulletins by the Home Office.

The data provides users with information about proven offending and its outcomes in England and Wales. 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 Criminal Justice System.

Information about statistical revisions, forthcoming changes and the symbols and conventions used in the bulletin are given in the explanatory notes section.

**If you have any feedback, questions or requests for further information about this statistical bulletin, please direct them to the appropriate contact given at the end of this report.**

# Main findings

## Overview of the Criminal Justice System in 2010

**Table 1.1: The Criminal Justice System 2009 to 2010**

	2009	2010	Percentage change 2009 to 2010
<b>Out of court disposals</b>	549,380	462,707	-16%
<i>Cannabis warnings<sup>(P)</sup></i>	88,342	79,107	-10%
<i>Penalty notices for disorder</i>	170,393	140,769	-17%
<i>Cautions</i>	290,645	242,831	-16%
<b>Defendants proceeded against</b>	1,694,410	1,653,190	-2%
<i>Indictable offences</i>	415,616	438,026	5%
<i>Summary offences</i>	1,278,794	1,215,164	-5%
<b>Defendants convicted</b>	1,408,437	1,367,475	-3%
<i>Indictable offences</i>	329,171	350,639	7%
<i>Summary offences</i>	1,079,266	1,016,836	-6%
<b>Prison receptions<sup>(1)</sup></b>	93,621	89,185 <sup>(P)</sup>	-5% <sup>(P)</sup>
<b>Probation starts<sup>(2)</sup></b>	169,693	166,598	-2%

(P) - Provisional figures

(1) - Receptions for offenders given a custodial sentence

(2) - Offenders starting Community Order or Suspended Sentence Order supervision by the Probation Service

Note. The numbers of cannabis warnings are provisional un-validated data from the police. These are provided as management information and are likely to change.

Finalised cannabis warnings are published on a financial year basis by the Home Office in July each year.

In 2010 there were 2.12 million individuals<sup>1</sup> given an out of court disposal or proceeded against at court. This consisted of a 16 per cent fall in the use of out of court disposals from 549,000 to 463,000 and a two per cent fall in the number of defendants proceeded against at court.

### Out of Court Disposals

There were 463,000 out of courts disposals administered in 2010, 16 per cent less than the 549,000 in 2009 and 31 per cent less than the peak of 669,000 in 2007.

Out of court disposals fell in every offence group and by 16 per cent overall. This continues the decline since 2007 which followed the replacement in April 2008 of a target to increase offences brought to justice, with one placing more emphasis on bringing serious crime to justice. The latter target was subsequently removed in May 2010.

<sup>1</sup> Includes people and companies

### Police cautions

There were 243,000 cautions administered in 2010.

- Sixteen per cent less than the 291,000 administered in 2009 and 33 per cent less than the 363,000 administered in 2007.
- Fewer cautions were administered in every offence group in 2010 except *robbery*, which increased by two offenders from 205 to 207.
- The decline in cautions was greatest for *theft and handling stolen goods* which fell 22 per cent.

### Penalty Notices for Disorder (PNDs)

There were 141,000 PNDs issued in 2010.

- This was 17 per cent less than the 170,000 issued in 2009 and 32 per cent less than the 208,000 issued in 2007
- Thirteen thousand nine hundred of these were for *drug offences* an increase of 21 per cent compared with the 11,500 in 2009.
- Eighty-six thousand seven hundred were for *summary non-motoring offences*, a 22 per cent decrease from the 111,000 issued in 2009.

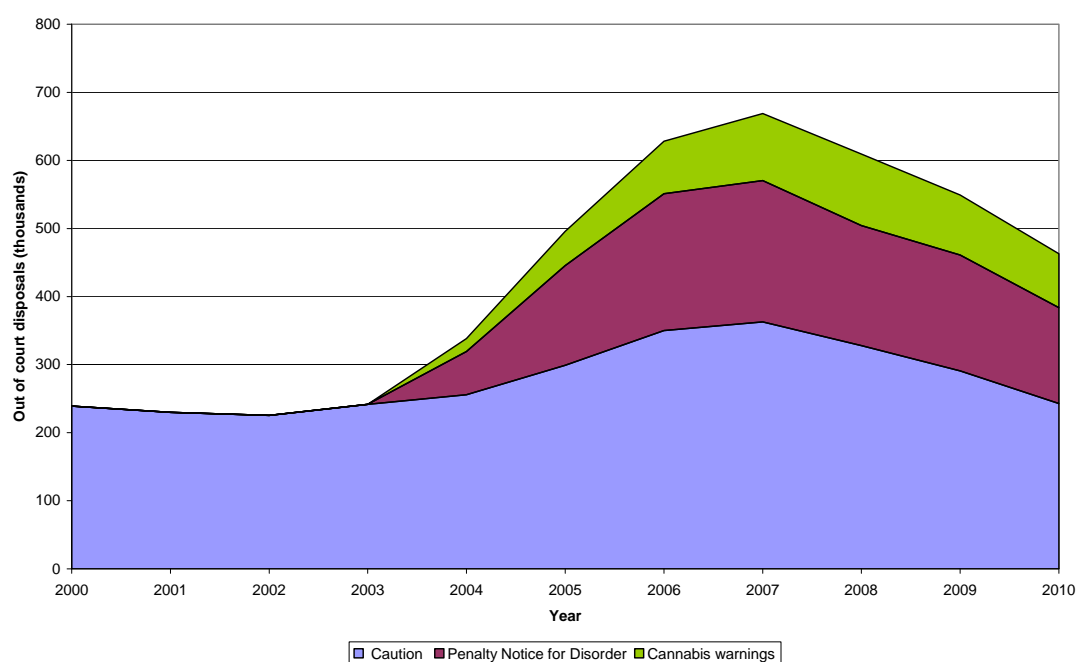
### Cannabis warnings

Cannabis warnings were introduced in April 2004 and peaked at 105,000 in 2008.

**Note** - figures for cannabis warnings appearing in this publication are provisional and may be revised following Home Office validation. Finalised National Statistics will be published by the Home Office in July 2011 by financial year.

There were 79,100 *cannabis warnings* issued in 2010, ten per cent less than the 88,300 in 2009 and 25 per cent less than 2008.

**Figure 1.1: Out of court disposals 2000 to 2010**



### **Court proceedings**

Between 2009 and 2010 prosecutions decreased by two per cent overall but increased five per cent for indictable offences. The decline in prosecutions at court was driven mainly by falls in summary motoring and summary non-motoring offences heard at the magistrates' courts.

In 2010, 1.65 million defendants were proceeded against in magistrates' courts.

- This is two per cent less than the 1.69 million defendants proceeded against in 2009 and 18 per cent less than the peak of 2.02 million in 2004.
- The decrease in prosecutions compared to 2009 was caused by fewer proceedings for *summary motoring offences* and *summary non-motoring offences*.
- Proceedings increased in every other offence group other than *indictable motoring offences*, most notably a 13 per cent increase in proceedings against defendants accused of *sexual offences* from 9,370 to 10,600 and ten per cent increase in proceedings for *drug offences* from 61,700 in 2009 to 67,800 in 2010.

In contrast with the decrease in prosecutions at magistrates' courts between 2009 and 2010, more defendants were tried at the Crown Court. In 2010 105,000 defendants were tried:

- ten per cent more than the 95,800 tried in 2009 and 40 per cent more than the 75,000 tried in 2005;
- there were increases in each offence group except *fraud and forgery* and the percentage increases were highest for *violence against the person*,

## Convictions

In 2010 1.37 million offenders were convicted of a criminal offence.

- This was three per cent less than the 1.41 million offenders convicted in 2009 and 12 per cent less than the 1.55 million offenders convicted in 2004.
- As seen for court proceedings, the largest percentage increases in convictions were for *drug offences* which increased nine per cent from 56,800 to 62,000 and *sexual offences* which increased 13 per cent from 5,110 to 5,780.

The conviction ratio<sup>2</sup> fell in 2010 compared to 2009 following year-on-year increases since 2001.

In 2010 83 per cent of defendants proceeded against were convicted.

- A decrease of just under 0.5 percentage points compared to 2009 and an increase of nine percentage points compared to 2001.
- The conviction ratio varied from 55 per cent for *sexual offences* to 91 per cent for *drug offences*.

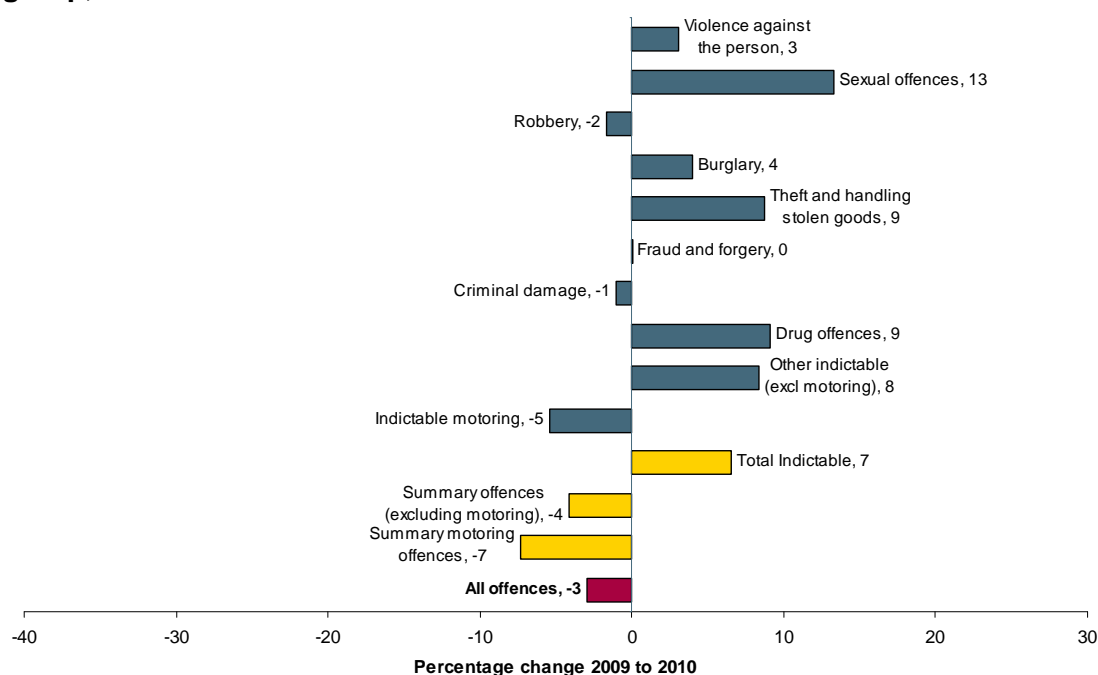
There was a seven per cent increase in convictions for indictable offences between 2009 and 2010, mainly due to changes in the following offences:

- convictions for 'theft from shops and stalls' (shoplifting) increased by nine per cent from 72,900 to 79,200. This increase coincided with a decrease in the same period for out of court disposals for this offence;
- convictions for 'possession of cannabis' increased by 17 per cent from 21,500 to 25,200. This increase coincided with a decrease in the same period for cannabis warnings and cautions for this offence.

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<sup>2</sup> Offenders convicted as a percentage of defendants proceeded against.

**Figure 1.3: Percentage change in convictions by offence type and offence group, 2009 - 2010**



## Sentencing

Trends in offenders sentenced mirror those observed in convictions. In 2010 there were 1.37 million offenders sentenced at all courts, three per cent less than 2009, and 12 per cent down on the 2004 peak.

**Table 1.2: Offenders sentenced by principal sentence, 2009-2010 and percentage change**

	2009	2010	Percentage change
<b>Total offenders sentenced</b>	1,406,905	1,365,347	-3.0
<b>Total persons sentenced</b>	1,398,278	1,357,600	-2.9
Immediate custody	100,231	101,513	1.3
Suspended sentence	45,157	48,118	6.6
Community sentence	195,903	189,321	-3.4
Fines	946,146	893,931	-5.5
Other disposals	119,468	132,464	10.9
Average custodial sentence length(months) <sup>(1)</sup>	13.7	13.7	
			<b>Percentage point change</b>
<b>Percentage of those sentenced<sup>(2)</sup></b>			
Immediate custody (persons)	7.2%	7.5%	0.3
Suspended sentence (persons)	3.2%	3.5%	0.3
Community sentence (persons)	14.0%	13.9%	-0.1
Fines (all offenders)	67.3%	65.5%	-1.8
Other disposals (all offenders)	8.5%	9.7%	1.2

(1) ACSL excludes life/indeterminate sentences

(2) May not sum to 100% as some rates are calculated on an all offenders basis and some on a persons basis



Fines are the most common sentence passed at court.

- In 2010, 65 per cent of all offenders were given a fine, a decline of two percentage points on 2009. The decrease in the fine rate is attributable to the decrease in the use of fines for summary offences, the type of offence for which fines are most commonly used.
- The latest information available (2009/10) show that the payment rate for financial penalties imposed at court was 86 per cent, an increase of one percentage point on the previous year.

In 2010, 17 per cent of offenders were given a sentence to serve in the community either as a Community Sentence (just under 14 per cent) or a Suspended Sentence Order (just over 3.5 per cent). The proportions have remained fairly constant since 2007.

- There were one and half per cent less offenders given a sentence to serve in the community in 2010 compared with 2009. This decrease is consistent with the decrease in offenders starting a court order supervised by the probation service which decreased by just under two per cent.
- The community sentence rate in 2010 ranged from 42 per cent for *criminal damage* (45 per cent in 2009) to three per cent for *summary motoring offences* (four per cent in 2009).
- The suspended sentence rate in 2010 ranged from 26 per cent for *indictable motoring offences* (24 per cent in 2009) to less than one per cent for *summary motoring offences*, unchanged compared to 2009.

Custodial sentences are given for the most serious breaches of the criminal law. In 2010, seven per cent of offenders received a custodial sentence, the same as 2009.

In 2010, 101,500 offenders were given a custodial sentence, just over one per cent more than in 2009, but nine per cent lower than the 2002 peak.

- The sentence given depends on the nature of the offence and custody is far more common for indictable offences than summary offences. In 2010 the custody rate<sup>3</sup> was 24 per cent for all indictable offences, one percentage point down from 2009, and two per cent for summary offences, unchanged compared with 2009.
- The custody rate varies across indictable offence groups and was highest for *robbery* (58 per cent) and *sexual offences* (57 per cent) and lowest for *criminal damage* (14 per cent) and *theft and handling stolen goods* (18 per cent).

Overall, the average custodial sentence lengths have remained the same in 2010 compared with 2009 following a general pattern of longer sentences from 2000. In 2010 the average custodial sentence length given was 13.7 months, increasing from 11.4 months in 2000.

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<sup>3</sup> Offenders given a custodial sentence as a percentage of all sentences

- In 2010 eleven per cent more offenders received a custodial sentence of less than three months for indictable offences compared with 2009. This group accounted for nearly one third of all custodial sentences.
- Three quarters of the increase in custodial sentences of less than three months was due to persons sentenced for offences of *theft and handling stolen goods*, from 13,400 in 2009 to 15,300 in 2010. For all offences 38 per cent of custodial sentences passed in 2010 were for three months or less, two percentage points more than 2009.
- Average sentence length varies across indictable offence group from 48.7 months for *sexual offences* to 4.1 months for *theft and handling stolen goods*.
- There were 1,400 indeterminate sentences handed down in 2010, the same as in 2009. Within this group the number of life sentences fell from 420 in 2009 to 384 in 2010, the lowest figure in the last decade. Of the 384 life sentences in 2010, 344 were for murder, 28 fewer than in 2009.

### **Offending Histories**

There were 231,000 new entrants to the criminal justice system in 2010, a fall of 12 per cent compared to 2009.

Twenty-six per cent of all offences that resulted in a caution<sup>4</sup> or conviction in 2010 were committed by people with no previous proven offences. This is down slightly from 28 per cent in 2009 and reflects the fall in the use of cautions. This continues the fall in the proportion of offences committed by people with no previous proven offences since the peak in the use of cautions in 2007.

Fifty-four per cent of offenders receiving a caution for an indictable offence in 2010 had no previous proven offences, whilst three per cent had 15 or more cautions or convictions.

Ten per cent of offenders convicted for an indictable offence in 2010 had no previous proven offences, whilst 29 per cent had 15 or more previous cautions or convictions.

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<sup>4</sup> Including reprimands and warnings for juveniles

**Figure 1.4. First offences and further offences in 2010**

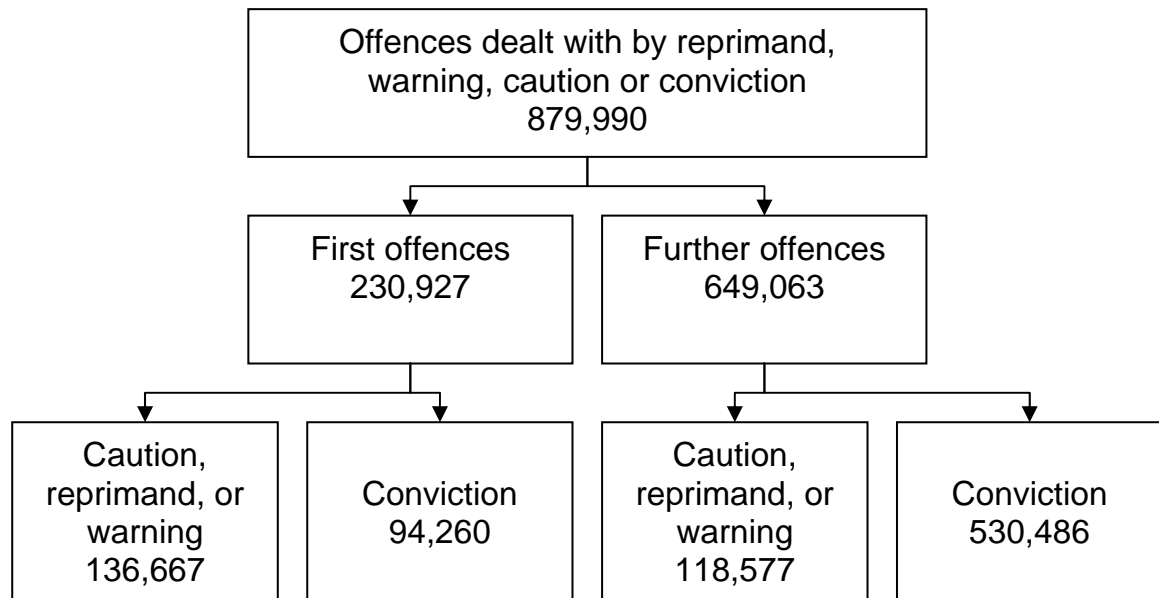


Table 13 - "Proven Offenders" in the criminal justice system by offence groups and outcomes, 2009 to 2010

Offence Type	Year	Cannabis warnings <sup>(1)</sup> for Disorder	Caution	Proceedings	Convictions	Conviction Ratio	Proven Offenders <sup>(1)</sup>	Sentenced <sup>(2)</sup>	Discharged	Fine	Community Sentence	Suspended Sentence	Other Sentences	Custody	Custody Rate	Average Custodial Sentence Length	
Violence against the person	2009	-	27,305	65,431	43,450	66%	70,755	43,215	1,626	1,712	16,055	8,548	1,189	14,085	33%	17.7	
	2010	-	21,871	66,644	44,794	67%	66,665	44,458	1,869	2,032	16,127	8,938	1,510	13,982	31%	17.8	
Sexual offences	2009	-	1,478	9,369	5,107	55%	6,585	5,093	95	87	1,392	412	120	2,967	59%	48.7	
	2010	-	1,364	10,564	5,784	55%	7,148	5,772	134	108	1,647	465	131	3,287	57%	48.7	
Burglary	2009	-	4,398	30,871	22,983	74%	27,381	22,765	560	294	9,219	2,374	290	10,028	44%	18.4	
	2010	-	3,484	31,811	23,909	75%	27,393	23,599	558	373	9,004	2,600	617	10,447	44%	18.7	
Robbery	2009	-	205	13,655	8,645	63%	8,850	8,684	20	8	2,915	476	90	5,155	59%	33.6	
	2010	-	207	13,704	8,499	62%	8,706	8,514	17	4	2,768	505	274	4,946	58%	34.5	
Theft and handling stolen goods	2009	-	48,161	60,730	125,509	111,981	89%	220,872	111,514	23,071	15,599	42,077	7,123	3,866	19,958	18%	4.2
	2010	-	40,170	47,538	135,726	121,794	90%	209,502	121,230	25,232	16,737	42,818	8,105	6,054	22,284	18%	4.1
Fraud and forgery	2009	-	7,210	26,138	21,039	80%	28,249	20,949	2,627	2,652	6,621	3,166	295	5,388	26%	10.4	
	2010	-	6,419	26,074	21,049	81%	27,175	20,865	2,432	2,967	7,053	3,287	413	4,713	23%	11.0	
Criminal damage	2009	-	6,419	9,975	7,860	79%	14,279	7,836	1,530	919	3,554	413	383	1,037	13%	18.9	
	2010	-	5,075	9,961	7,778	78%	12,853	7,754	1,596	816	3,285	432	549	1,096	14%	18.0	
Drug offences	2009	88,342	43,808	61,685	56,831	92%	200,472	56,656	7,560	20,993	13,657	3,119	1,901	9,426	17%	32.1	
	2010	79,107	40,721	67,772	61,979	91%	195,723	61,435	8,951	23,354	13,418	3,820	2,199	9,693	16%	30.7	
Indicible motoring offences	2009	-	-	4,184	3,617	86%	3,617	3,714	36	317	1,111	890	45	1,315	35%	9.1	
	2010	-	-	3,794	3,420	90%	3,420	3,410	51	299	991	885	39	1,145	34%	9.6	
Other indictable offences	2009	-	7,982	68,799	47,658	69%	55,640	46,955	3,548	13,299	11,323	4,610	3,289	10,886	23%	9.9	
	2010	-	7,155	71,976	51,633	72%	58,788	51,183	3,820	13,511	11,404	5,139	5,963	11,346	22%	9.6	
Indictable offences	2009	88,342	59,652	159,535	145,616	92%	200,472	56,656	7,560	20,993	13,657	3,119	1,901	9,426	17%	32.1	
	2010	79,107	54,086	133,541	121,794	91%	195,723	61,435	8,951	23,354	13,418	3,820	2,199	9,693	16%	30.7	
Summary non-motoring	2009	-	110,741	131,110	514,703	83%	617,373	346,220	44,680	60,201	108,495	34,176	17,749	82,939	24%	16.2	
	2010	-	86,683	109,290	607,056	81%	689,438	493,632	47,544	34,491	64,723	9,560	12,280	14,634	3%	2.6	
Summary motoring offences	2009	-	-	659,640	564,563	86%	564,563	564,681	7,989	520,119	20,162	5,056	6,067	5,288	1%	3.1	
	2010	-	-	608,108	523,371	86%	523,371	523,475	7,154	488,819	16,103	4,382	3,077	3,940	1%	3.1	
Summary Offences	2009	-	110,741	1,278,794	1,079,266	84%	1,321,117	1,079,544	52,255	890,066	87,979	14,026	15,252	19,966	2%	2.8	
	2010	-	86,683	1,215,164	1,016,836	84%	1,212,809	1,017,127	54,698	833,730	80,826	13,942	15,357	18,574	2%	2.7	
<b>All Offences</b>	2009	<b>88,342</b>	<b>170,993</b>	<b>290,645</b>	<b>1,408,437</b>	<b>83%</b>	<b>1,957,817</b>	<b>1,405,905</b>	<b>92,928</b>	<b>946,146</b>	<b>195,903</b>	<b>45,157</b>	<b>26,540</b>	<b>100,231</b>	<b>7%</b>	<b>13.7</b>	
	2010	<b>79,107</b>	<b>140,769</b>	<b>242,831</b>	<b>1,367,475</b>	<b>83%</b>	<b>1,830,182</b>	<b>1,365,347</b>	<b>99,358</b>	<b>893,931</b>	<b>189,321</b>	<b>48,118</b>	<b>33,106</b>	<b>101,513</b>	<b>7%</b>	<b>13.7</b>	

(P) - Provisional figures

(1) Defendants who have been proven to have committed an offence (through either a court conviction or caution/reprimand or warning or receiving a Penalty Notice for Disorder).

(2) Figures are based on defendants found guilty and sentenced each year. Some of those sentenced may have been found guilty in a previous year so the number of offenders sentenced may exceed the number of guilty defendants.

Note: The numbers of cannabis warnings are provisional un-audited data from the police. These are provided as management information and are likely to change. Finalised cannabis warnings are published on a financial year basis by the Home Office in July each year.

## Offences

This section differs from the previous section in that it considers the total number of notifiable<sup>5</sup> offences rather than the offender.

**Table 1.4: Recorded crime<sup>6</sup> / notifiable offences, 2009 to 2010**

	2009	2010	Percentage change 2009 to 2010
<b>Recorded Crime</b>	4,447,539	4,159,468	-6%
<b>Out of court disposals</b>	504,565	421,933	-16%
<i>Cannabis warnings</i> <sup>(P)</sup>	88,342	79,107	-10%
<i>Penalty notices for disorder</i>	112,196	91,899	-18%
<i>Cautions</i>	304,027	250,927	-17%
<b>Prosecutions</b>	995,767	1,026,998	3%
<b>Convictions</b>	755,648	766,908	1%
<b>Proven offences</b>	1,260,213	1,188,841	-6%

(P) Provisional figures

Note. The numbers of cannabis warnings are provisional un-validated data from the police.

These are provided as management information and are likely to change.

Finalised cannabis warnings are published on a financial year basis by the Home Office in July each year.

Much of the activity in the criminal justice system starts with the police, when a crime is reported, investigated and detected. The Home Office report on the police activity and the crimes they deal with. In the year ending December 2010, recorded crime decreased by six per cent from 4.45 million to 4.16 million. There were decreases in all police recorded crime offence groups (notifiable offences) except *sexual offences* and *other theft offences* (which increased by three per cent and one per cent respectively). The largest percentage falls were for *criminal damage* (down 17 per cent) and *offences against vehicles* (down 12 per cent).

Over the same period, for the equivalent notifiable offences, the use of out of court disposals decreased by 16 per cent; penalty notices for disorder (PND) down 18 per cent, cautions down 17 per cent and cannabis warnings down 10 per cent.

Between 2009 and 2010 prosecutions for notifiable offences increased by three per cent and convictions increased by one per cent. However, these changes are not consistent across offence group.

The greatest percentage increases in prosecutions were for the offence groups:

- *sexual offences*, increasing 17 per cent from 26,900 to 31,300;
- *drug offences*, increasing 11 per cent from 100,000 to 112,000.

The greatest percentage decreases in prosecutions were for the offence groups:

<sup>5</sup> Notifiable offences include all offences that could possibly be tried by jury (i.e. indictable and triable-either-way offences) plus a few additional closely related summary offences, such as assault without injury. Offence groups in notifiable offence tables in this section therefore differ from groups shown in other sections which may be restricted to indictable offences only.

<sup>6</sup> [www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/crime-research/hosb0611/](http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/crime-research/hosb0611/)

- *criminal damage*, decreasing three per cent from 82,600 to 80,300;
- *robbery*, decreasing two per cent from 19,700 to 19,300.

The greatest percentage changes for convictions were also for these offence groups and were as follows:

- *sexual offences*, increasing seven per cent from 15,500 to 16,600;
- *drug offences*, increasing eight per cent from 89,800 to 97,400;
- *criminal damage*, decreasing 4 per cent from 66,000 to 63,200; and
- *robbery*, decreasing seven per cent from 12,900 to 11,900.

**Table 1.5: Changes in recorded crime / notifiable offences, 2009 to 2010, by offence group**

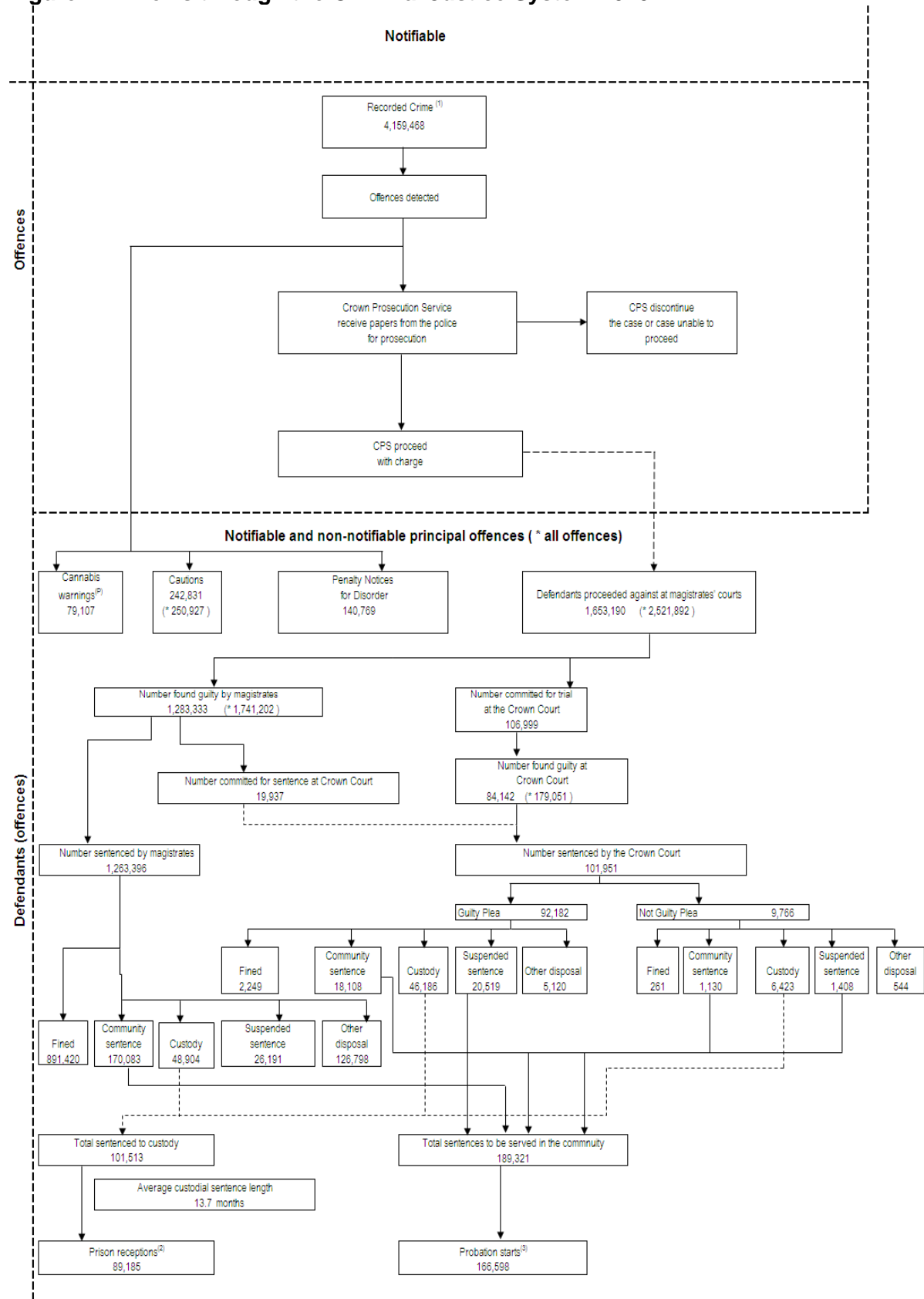
Offence Type	Year	Recorded Crime	Cannabis Warnings**	Penalty Notices for Disorder	Cautions	Proceedings	Convictions
Violence against the person	2009	884,301	-	41,811	120,386	334,609	232,110
	2010	833,152	-	31,377	99,905	340,315	231,801
Sexual offences	2009	53,091	-	-	1,765	26,875	15,492
	2010	54,602	-	-	1,556	31,337	16,605
Burglary	2009	557,689	-	-	4,784	44,030	31,046
	2010	519,356	-	-	3,808	45,192	31,462
Robbery	2009	76,244	-	-	221	19,687	12,851
	2010	75,123	-	-	209	19,250	11,941
Theft and handling stolen goods	2009	1,561,764	-	49,028	71,553	214,634	185,662
	2010	1,514,146	-	40,735	55,770	218,083	187,477
Fraud and forgery	2009	150,962	-	-	8,013	70,716	52,061
	2010	148,280	-	-	6,771	72,373	52,664
Criminal damage	2009	857,984	-	10,533	42,093	82,614	66,011
	2010	714,730	-	6,520	31,577	80,276	63,237
Drug offences	2009	235,148	88,342	10,824	46,115	100,482	89,767
	2010	231,695	79,107	13,267	43,328	111,602	97,381
Other notifiable offences	2009	70,356	-	-	9,097	102,120	70,648
	2010	68,384	-	-	8,003	108,570	74,340
All Notifiable Offences	2009	4,447,539	88,342	112,196	304,027	995,767	755,648
	2010	4,159,468	79,107	91,899	250,927	1,026,998	766,908

(P) Provisional figures

Note: The numbers of cannabis warnings are provisional un-validated data from the police. These are provided as management information and are likely to change. Finalised cannabis warnings are published on a financial year basis by the Home Office in July each year.

Care should be taken when comparing police recorded crime against outcomes in the criminal justice system, as the reporting of a crime and the final outcome e.g. a conviction, may not occur in the same year.

**Figure 1.2: Flows through the Criminal Justice System 2010**



1. Covers all indictable, including triable either way, offences plus a few closely associated summary offences.  
 2. Receptions for offenders given a custodial sentence  
 3. Offenders starting Community Order or Suspended Sentence Order supervision by the Probation Service  
 \* Total number of all offences in comparison with the total number of defendants on a principal offence basis.  
 (P) Provisional

## Crime in England and Wales [Table 1.6]

*Police recorded crime statistics are administrative data based on crimes that are reported to and recorded by the police in England and Wales, it does not cover crimes not reported to the police e.g. Television Licence Evasion. For more detail see: [User Guide to Home Office to Crime Statistics](#)*

In 2010 there were 4.16 million crimes recorded by the police (notifiable offences).

- This was a decrease of six per cent compared with the 4.45 million in 2009 and a decrease of 31 per cent compared with the 6.00 million in 2003.
- Compared with 2009, crimes decreased in every offence group except *sexual offences*, which increased three per cent from 53,100 to 54,600. The largest decrease was for *criminal damage* which decreased 17 per cent from 858,000 to 715,000.
- Eighty-six percent of these crimes were in the offence groups: *violence against the person, criminal damage, burglary and theft and handling stolen goods*.



**Table 1.6 - Summary of criminal justice statistics, 2000 - 2010**

	Year											Thousands 2009-2010 (% change)
	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	
Crime measured by British Crime Survey <sup>(1)</sup>	..	..	12,196	12,088	10,811	10,821	11,087	10,446	10,618	9,751	9,485	-3
Notifiable offences <sup>(2)</sup>												
- offences recorded by the police	5,200	5,436	5,908	6,004	5,764	5,572	5,464	5,053	4,789	4,448	4,159	-6
Number of offenders cautioned <sup>(3)</sup>	239	230	225	242	256	299	350	363	328	291	243	-16
of which <i>Indictable offences</i> <sup>(4)</sup>	151	144	143	151	156	183	204	205	181	160	134	-16
Defendants proceeded against at magistrates' courts	1,905	1,838	1,925	2,001	2,023	1,895	1,779	1,733	1,640	1,694	1,653	-2
of which <i>Indictable offences</i> <sup>(4)</sup>	492	501	517	509	453	423	406	405	397	416	438	5
Defendants found guilty at magistrates' courts	1,367	1,293	1,362	1,432	1,488	1,426	1,363	1,351	1,293	1,331	1,283	-4
of which <i>Indictable offences</i> <sup>(4)</sup>	272	270	281	278	260	253	248	252	250	256	271	6
Defendants sentenced at the Crown Court after summary conviction	18	16	17	16	16	17	18	17	18	17	18	3
Defendants tried at the Crown Court	75	76	75	78	78	75	76	82	87	96	105	10
Defendants found guilty at the Crown Court	56	56	60	60	60	58	58	65	71	77	84	9
Total offenders found guilty at both courts	1,424	1,350	1,421	1,491	1,548	1,484	1,421	1,416	1,363	1,408	1,367	-3
of which <i>Indictable offences</i> <sup>(4)</sup>	326	324	338	335	318	308	303	313	317	329	351	7
Total offenders found guilty or cautioned <sup>(3)</sup>	1,663	1,580	1,647	1,733	1,804	1,783	1,771	1,779	1,691	1,699	1,610	-5
of which <i>Indictable offences</i> <sup>(4)</sup>	476	468	481	486	474	491	507	518	498	489	484	-1
Total sentenced	1,424	1,348	1,420	1,490	1,547	1,482	1,421	1,415	1,362	1,407	1,365	-3
Magistrates' court	1,350	1,276	1,343	1,414	1,471	1,407	1,344	1,333	1,273	1,312	1,263	-4
Crown Court	56	56	60	60	60	58	58	65	71	77	84	9
Sentence	1,424	1,348	1,420	1,490	1,547	1,482	1,421	1,415	1,362	1,407	1,365	-3
Custody	106	106	112	108	106	101	96	95	100	100	102	1
Fine	1,013	930	973	1,034	1,083	1,025	962	942	890	946	894	-6
Community Sentence	156	165	187	191	202	204	191	196	190	196	189	-3
Suspended Sentence	3	3	3	3	3	10	34	41	41	45	48	7
Other Sentences	146	144	146	154	154	142	139	141	141	119	132	11

(1) BCS estimates relate to crimes experienced in the 12 months prior to interview.

(2) Includes British Transport Police from 2002/03. The National Crime Recording Standard was introduced in 2002/03 and figures before and after that date are not directly comparable.

(3) Cautions, written warnings and all fixed penalties for summary motoring offences are not covered in this volume but are published in the Home Office Statistical Bulletin.

<sup>(4)</sup> Motoring offences and breath tests.

(4) Indictable offences include those triable either-way.

## **Out of Court Disposals [Tables 2.1 – 2.5]**

*Out of Court Disposals aim to deal with low risk, low-level and mostly first-time offenders outside of the court system in appropriate circumstances. Out of Court Disposals are not suitable for contested or more serious cases. They would not normally be considered for those who offend repeatedly (subject to relevant guidance). Out of court disposals can include cannabis warnings, Penalty Notices for Disorder and cautions<sup>7 8</sup>.*

### **Cannabis warnings**

In January 2009, cannabis was moved from Class C back to Class B within the Misuse of Drugs Act 1971. For a first time offence of cannabis possession an adult is still issued with a 'cannabis warning' which is recorded, but is not the same as a criminal record or a caution.

In 2010 there were 79,100 warnings for cannabis possession, a decrease of ten per cent compared with 88,300 in 2009.

### **Penalty Notices for Disorder**

*Penalty Notices for Disorder (PNDs) are more commonly known as 'on the spot fines'. PNDs are a fixed penalty of £50 or £80 designed to tackle low-level, anti-social and nuisance offending for offenders aged 16 or over and are issued for a range of minor offences.*

There were 141,000 PNDs issued in 2010, a decrease of 17 per cent compared with 2009.

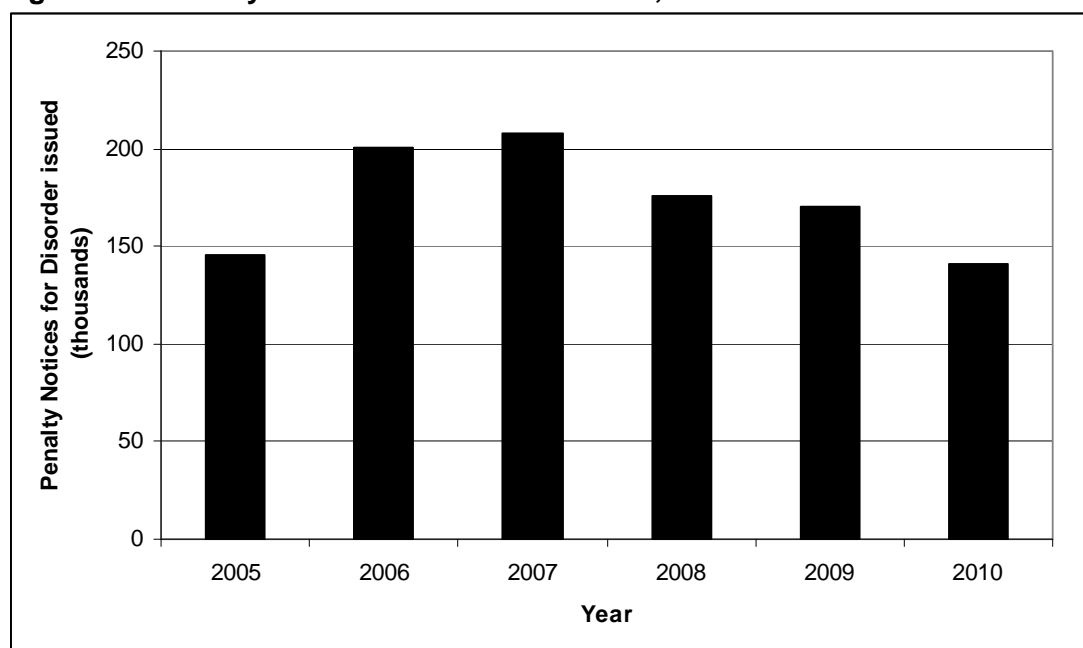
- There were fewer PNDs issued in 37 of the 43 police forces in England and Wales compared with 2009.
- A decrease of 32 per cent compared with the 208,000 issued at the peak in 2007.

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<sup>7</sup> Cautions, written warnings and all fixed penalties for summary motoring offences are not covered in this volume but are published in the Home Office Statistical Bulletin 'Motoring offences and breath tests'.

<sup>8</sup> Including reprimands and warnings for juveniles.

**Figure 2.1: Penalty Notices for Disorder issued, 2005 – 2010**



Four offences accounted for 88 per cent of all PNDs issued in 2010:

- twenty-nine per cent (40,200) were for 'retail theft of goods under the value of £200';
- twenty-six per cent (37,100) were for being 'drunk and disorderly';
- twenty-three per cent (32,300) were for 'behaviour likely to cause harassment, alarm or distress'; and
- ten per cent (13,900) were for 'possession of cannabis'.

The change in the use of PNDs is different across these offences.

- 'Behaviour likely to cause harassment, alarm or distress' has decreased year-on-year from 82,200 in 2006 when it was the most frequently issued PND;
- 'Drunk and disorderly' has remained relatively stable with 100 more PNDs issued in 2010 than in 2005;
- 'Retail theft of goods under the value of £200' increased every year up to 2009 and decreased for the first time in 2010 to 40,200;
- 'Possession of cannabis' has increased by 2,430 (21 per cent) from its introduction in 2009, at the same time the use of cannabis warnings decreased by 9,240.

## Caution

*A caution can be given when there is sufficient evidence for a conviction and it is not considered to be in the public interest to institute criminal proceedings. Additionally, the offender must admit guilt and consent to a caution in order for one to be given. A formal caution may be given by, or on the instructions of, a senior police officer. A system of reprimands and warnings replaced cautioning for juveniles in June 2000.*

There were 16 per cent less cautions issued in 2010 compared with 2009, continuing a downward trend in the use of cautions from a peak in 2007. Compared with 2009 there were decreases in cautions given for every offence group other than *robbery* which increased by two offenders from 205 to 207.

In 2010 there were 243,000 offenders cautioned, including juveniles, given a reprimand or warning.

- A 16 per cent fall in offenders cautioned for indictable offences to 133,500 in 2010, the fewest since 124,000 offenders were cautioned in 1984.
- A 17 per cent decrease for offenders cautioned for summary offences to 109,300 in 2010.
- The largest decreases compared with 2009 were in cautions administered for the indictable offences *violence against the person, burglary, theft and handling* and *criminal damage* each of which decreased by 20 per cent or more.
- Thirty-three percent less than the peak of 363,000 cautions issued in 2007. The decline since 2007 coincides with the removal in April 2008 of a target to increase offences brought to justice, with one placing more emphasis on bringing serious crime to justice.

Within indictable offences the cautioning rate<sup>9</sup> is normally highest for *drug offences, criminal damage* and *violence against the person* and lowest for *robbery*. In 2010 the cautioning rates for these offences were:

- forty percent for *drug offences*;
- thirty-nine per cent for *criminal damage*;
- thirty-three per cent for *violence against the person*; and
- two per cent for *robbery*.

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<sup>9</sup> The proportion of offenders either cautioned or convicted that are given a caution

**Figure 2.2: Offenders cautioned by offence type, 2000–2010**

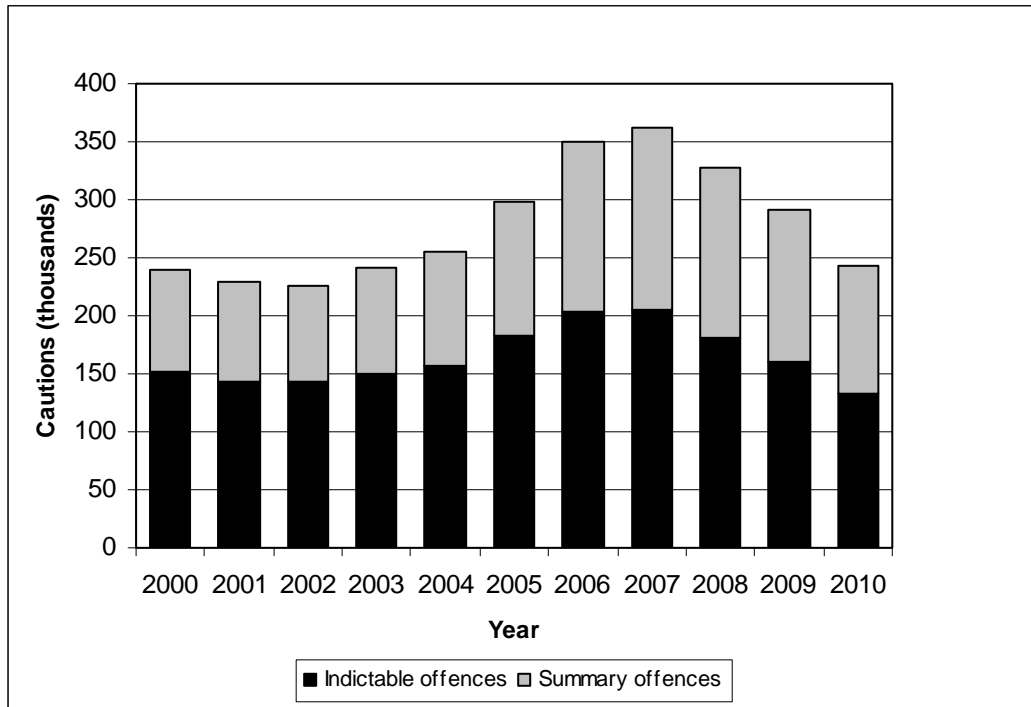


Table 2.1 - Number of Penalty Notices for Disorder issued to offenders aged 16 and over by offence, 2005 - 2010

England and Wales

Offence	All Ages					Age 16-17					Age 18 and over							
	2005	2006	2007	2008	2009	2010	2005	2006	2007	2008	2009	2010	2005	2006	2007	2008	2009	2010
<b>Higher Tier Offences (£80)</b>																		
Wasting police time	2,525	3,933	3,966	3,443	3,109	2,852	215	353	327	254	212	157	2,310	3,580	3,639	3,189	2,897	2,695
Misuse of public telecommunications system	405	909	1,193	888	747	696	24	79	106	88	45	53	381	830	1,087	800	702	643
Giving false alarm to fire and rescue authority	92	106	96	77	80	59	6	15	15	7	9	7	86	91	81	70	71	52
Causing harassment, alarm or distress	64,007	82,235	77,827	57,773	43,338	32,317	5,846	8,122	7,068	4,673	3,199	2,174	58,161	74,113	70,759	53,100	40,139	30,143
Throwing fireworks	642	682	649	531	353	340	90	101	102	82	57	55	552	581	547	449	296	285
Drunk and disorderly	37,038	43,556	46,996	44,411	43,570	37,119	2,354	3,009	2,941	2,538	2,244	1,710	34,684	40,547	44,055	41,873	41,326	35,409
Criminal Damage (under £500)	12,168	20,620	19,946	13,427	10,145	6,253	1,408	2,866	2,796	1,815	1,241	659	10,760	17,754	17,150	11,612	8,904	5,594
Theft (retail under £200)	21,997	38,772	45,146	45,616	48,161	40,170	1,806	3,861	4,474	4,040	3,817	2,682	20,191	34,911	40,672	41,576	44,344	37,488
Breach of fireworks curfew	33	53	39	23	15	23	4	7	3	3	-	2	29	46	36	20	15	21
Possession of category 4 fireworks	13	28	22	23	56	22	2	6	5	6	2	3	11	22	17	17	54	19
Possession by a person under 18 of adult fireworks	47	76	106	67	59	61	42	69	106	57	53	47	5	7	-	10	6	14
Sale of alcohol to drunken person	32	47	81	66	90	74	2	1	1	2	2	-	30	46	80	64	88	74
Supply of alcohol to a person under 18	3	60	54	83	104	59	5	1	1	2	4	1	3	55	53	81	100	58
Sale of alcohol to a person under 18	2,058	3,195	3,583	2,824	3,002	2,098	79	91	77	42	40	30	1,979	3,104	3,506	2,782	2,962	2,068
Purchasing alcohol for a person under 18	170	407	555	524	429	330	20	45	51	33	22	18	150	362	504	491	407	312
Purchasing alcohol for a person under 18 for consumption on the premises	83	60	64	50	46	33	21	17	13	10	15	4	62	43	51	40	31	29
Delivery of alcohol to a person under 18 or allowing such delivery	209	297	431	286	190	120	20	24	36	23	9	11	189	273	395	263	181	109
Possession of Cannabis	*	*	*	*	11,491	13,916	*	*	*	*	148	163	*	*	*	*	11,343	13,753
<b>Lower Tier Offences (£50)</b>																		
Trespassing on a railway	220	1,042	1,527	1,468	1,552	1,454	73	256	291	257	240	196	147	786	1,236	1,211	1,312	1,258
Throwing stones at a train / railway	20	15	25	27	21	11	5	4	10	8	8	6	15	11	15	19	13	5
Drunk in a highway	3,138	2,712	2,066	1,438	999	758	103	149	106	57	31	13	3,035	2,563	1,960	1,381	968	745
Consumption of alcohol in a designated public place	712	1,061	1,544	1,761	1,596	1,036	56	136	172	126	87	31	656	925	1,372	1,635	1,509	1,005
Depositing and leaving litter	737	1,169	1,374	1,202	1,148	903	185	253	301	241	181	119	552	916	1,073	961	967	784
Consumption of alcohol by a person under 18 on relevant premises	84	75	85	36	27	14	74	67	85	31	19	9	10	8	-	5	8	5
Allowing consumption of alcohol by a person under 18 on relevant premises	27	14	11	6	4	3	2	-	1	2	-	-	25	14	10	4	4	3
Buying or Attempting to buy alcohol by a person under 18	21	73	158	114	61	48	17	62	158	100	52	42	4	11	-	14	9	6
<b>Totals</b>																		
Total Higher Tier Offences	141,522	195,036	200,754	170,112	164,985	136,542	11,939	18,671	18,122	13,675	11,119	7,776	129,583	176,365	182,632	156,437	153,866	128,766
Total Lower Tier Offences	4,959	6,161	6,790	6,052	5,408	4,227	515	927	1,124	822	618	416	4,444	5,234	5,666	5,230	4,790	3,811
<b>Total all offences</b>	146,481	201,197	207,544	176,164	170,393	140,769	12,454	19,598	19,246	14,497	11,737	8,192	134,027	181,599	188,298	161,667	158,656	132,577

**Table 2.2 - Number of Penalty Notices for Disorder issued to offenders age 16 and over by ethnicity, 2010**

England and Wales		White	Black	Asian	Other	Not Recorded/Not Known	Total
<b>Higher Tier Offences (£80)</b>							
Wasting police time	1,985	45	141	267	414	2,852	
Misuse of public telecommunications system	573	7	12	16	88	696	
Giving false alarm to fire and rescue authority	45	-	1	2	11	59	
Causing Harassment, alarm or distress	22,962	588	2,050	1,408	5,309	32,317	
Throwing fireworks	226	4	14	41	55	340	
Drunk and disorderly	30,036	275	766	611	5,431	37,119	
Criminal Damage (under £500)	4,867	87	224	159	916	6,253	
Theft (retail under £200)	29,585	952	2,292	1,582	5,759	40,170	
Breach of fireworks curfew	17	-	3	1	2	23	
Possession of category 4 firework	15	-	2	1	4	22	
Possession by a person under 18 of adult firework	37	-	9	6	9	61	
Sale of alcohol to drunken person	41	2	7	15	9	74	
Supply of alcohol to a person under 18	44	1	1	1	12	59	
Sale of alcohol to a person under 18	1,134	31	203	414	316	2,098	
Purchasing alcohol for a person under 18	279	-	2	4	45	330	
Purchasing alcohol for a person under 18 for consumption on the premises	24	-	-	-	9	33	
Delivery of alcohol to a person under 18 or allowing such delivery	103	2	-	1	14	120	
Possession of Cannabis	8,470	389	1,664	1,364	2,029	13,916	
<b>Lower Tier Offences (£50)</b>							
Trespassing on a railway	963	67	63	12	349	1,454	
Throwing stones at a train / railway	9	1	1	-	-	11	
Drunk in a highway	554	15	23	22	144	758	
Consumption of alcohol in a designated public place	750	55	71	71	89	1,036	
Depositing and leaving litter	681	21	25	44	132	903	
Consumption of alcohol by a person under 18 on relevant premises	10	1	1	-	2	14	
Allowing consumption of alcohol by a person under 18 on relevant premises	2	-	-	-	1	3	
Buying or Attempting to buy alcohol by a person under 18	44	1	-	-	3	48	
<b>Totals</b>							
Total Higher Tier Offences	100,443	2,383	7,391	5,893	20,432	136,542	
Total Lower Tier Offences	3,013	161	184	149	720	4,227	
<b>Total all offences</b>	<b>103,456</b>	<b>2,544</b>	<b>7,575</b>	<b>6,042</b>	<b>21,152</b>	<b>140,769</b>	

**Table 2.3 - Offenders cautioned by type of offence, 2000 - 2010**

Type of offence	Number of offenders (thousands)										
	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
<b>All offenders</b>											
<b>Indictable offences</b>											
Violence against the person	19.9	19.6	23.6	28.8	36.6	51.0	57.2	52.3	37.9	27.3	21.9
Sexual offences	1.3	1.2	1.2	1.3	1.5	1.7	1.9	1.9	1.7	1.5	1.4
Burglary	6.6	6.4	5.8	5.6	5.6	6.5	7.7	7.0	5.4	4.4	3.5
Robbery	0.6	0.5	0.4	0.4	0.5	0.6	0.7	0.6	0.4	0.2	0.2
Theft and handling stolen goods	67.6	63.5	54.2	54.5	61.9	67.6	72.4	72.8	64.0	60.7	47.5
Fraud and forgery	6.2	5.8	5.3	5.5	6.0	6.9	8.0	8.6	8.3	7.2	6.1
Criminal damage	3.2	3.4	3.1	3.7	5.5	7.2	9.0	8.8	7.9	6.4	5.1
Drug offences	41.1	39.4	44.9	45.7	32.6	34.4	37.4	43.1	47.0	43.8	40.7
Other (excluding motoring offences)	4.4	4.2	4.4	5.3	6.0	7.0	9.4	10.0	8.6	8.0	7.2
<b>Total (excluding motoring offences)</b>	<b>150.9</b>	<b>143.9</b>	<b>142.9</b>	<b>150.7</b>	<b>156.3</b>	<b>182.9</b>	<b>203.8</b>	<b>205.1</b>	<b>181.2</b>	<b>159.5</b>	<b>133.5</b>
<b>Summary offences</b>											
(excluding motoring offences)	88.1	85.9	82.4	91.1	99.5	116.0	146.2	157.8	146.7	131.1	109.3
<b>All offences</b>											
(excluding motoring offences)	239.0	229.9	225.4	241.8	255.8	298.9	350.0	362.9	327.9	290.6	242.8



**Table 2.4 - Proportion of offenders found guilty and cautioned who were cautioned, by type of offence, 2000 - 2010**

England and Wales	Percentages											
	type of offence	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
<b>All offenders</b>												
<b>Indictable offences</b>												
Violence against the person	36	36	39	43	48	55	58	56	48	39	33	
Sexual offences	25	23	21	24	24	27	28	28	25	22	19	
Burglary	20	21	18	18	19	22	25	23	18	16	13	
Robbery	10	7	5	5	6	8	8	7	4	2	2	
Theft and handling stolen goods	35	33	30	31	36	39	42	41	37	35	28	
Fraud and forgery	21	21	20	20	22	25	29	29	29	26	23	
Criminal damage	24	24	22	25	32	38	42	41	45	45	39	
Drug offences	48	46	48	47	45	47	49	49	47	44	40	
Other (excluding motoring offences)	9	9	8	9	10	12	16	18	18	14	12	
<b>Total (excluding motoring offences)</b>	<b>32</b>	<b>31</b>	<b>30</b>	<b>31</b>	<b>33</b>	<b>38</b>	<b>41</b>	<b>40</b>	<b>37</b>	<b>33</b>	<b>28</b>	
<b>Summary offences</b>												
(excluding motoring offences)	15	16	14	16	16	19	23	24	23	20	18	
<b>All offences</b>												
(excluding motoring offences)	23	23	22	23	23	27	31	31	29	26	22	

**Table 2.5 - Persons cautioned for all offences by ethnicity, 2000 - 2010**

Year	England and Wales				
	Total	White	Black	Asian	Other
2000	239.0	204.3	13.6	9.8	2.2
2001	229.9	197.3	13.1	9.9	2.5
2002	225.4	192.1	14.4	10.3	2.4
2003	241.8	205.3	15.1	10.6	2.9
2004	255.8	214.5	13.3	13.1	3.5
2005	298.9	250.4	18.3	13.2	4.0
2006	350.0	285.5	21.7	15.4	5.1
2007	362.9	300.0	23.2	16.4	5.1
2008	327.9	270.7	22.6	15.8	5.2
2009	290.6	240.6	19.9	14.3	4.9
2010	242.8	201.7	17.2	12.7	4.5
					Unknown
					9.0
					7.0
					6.2
					7.9
					11.4
					13.0
					22.3
					18.2
					13.5
					10.9
					6.6

Note: Totals may not sum due to rounding.

## **Court proceedings [Tables 3.1 – 3.6]**

*If there is sufficient evidence against the defendant and none of the out of court disposals are appropriate, the police will formally charge the suspect. The law then requires the defendant to be brought before a magistrates' court as soon as possible. The defendant can be summoned to appear in court or remanded on bail or custody.*

### **Magistrates' courts**

All criminal court cases start in a magistrates' court and the less serious offences will be handled entirely within this court.

The workload in magistrates' courts in terms of the number of proceedings initiated has been decreasing from a peak in 2004. In recent years this has stabilised and the number of defendants proceeded against in 2010 was similar to the volume in 2008.

There were 1.65 million defendants proceeded against at magistrates' courts in 2010:

- two per cent less than the 1.69 million in 2009;
- eighteen per cent less than the peak of 2.02 million in 2004.

These falls have largely been driven by decreases in defendants proceeded against for summary offences which fell by 23 per cent from 1.57 million to 1.22 million between 2004 and 2010. In comparison the proceedings for indictable offences fell over the same period by three per cent from 453,000 to 438,000.

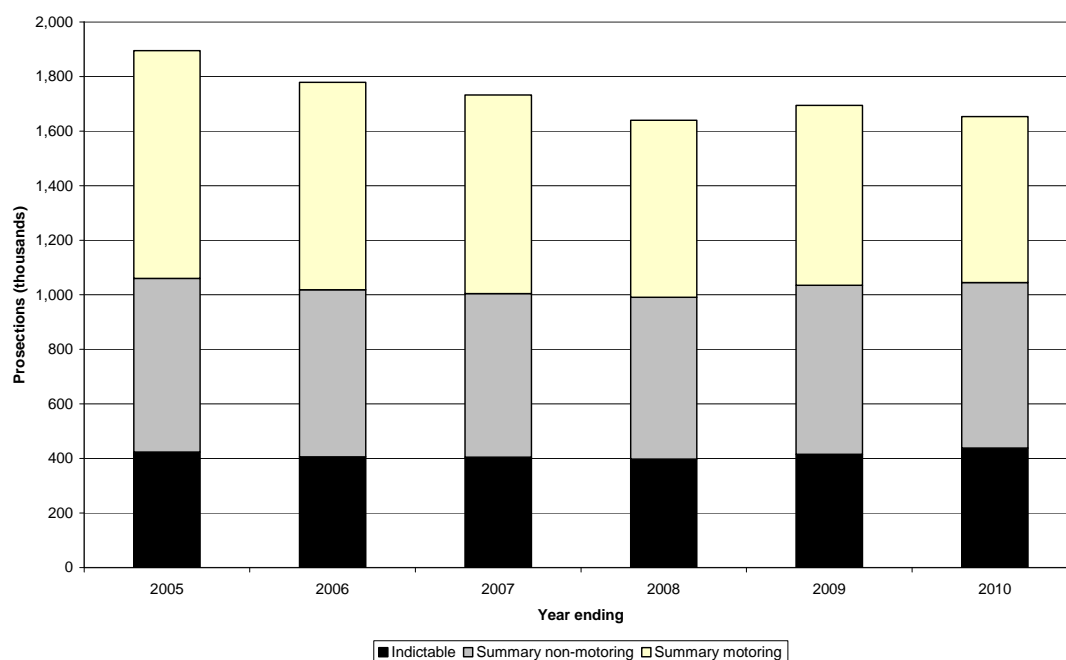
Summary proceedings, which cover offences such as TV license evasion and common assault, can be dealt with entirely within the magistrates' courts and make up around three quarters of cases. Just over half of these cases relate to summary motoring proceedings which include offences such as speeding, driving while disqualified and drunk driving.

In 2010 there were 1.22 million proceedings at the magistrates' courts for summary offences. This was 74 per cent of the 1.65 million total proceedings and was split equally between summary motoring offences and summary non-motoring offences.

Proceedings for summary offences have decreased from a peak in 2004 whereas proceedings for indictable offences have remained relatively stable over the same period.

- Five per cent less defendants were proceeded against for summary offences in 2010 than in 2009 and 23 per cent less than the peak of 1.57 million in 2004.
- Five per cent more defendants were proceeded against for indictable offences in 2010 than in 2009 and three per cent less than the 453,000 in 2004.

**Figure 3.1: Defendants proceeded against at magistrates' courts by type of offence, 2005–2010**



## Crown Court

The Crown Court deals with around five per cent of youth and adult criminal cases that progress beyond the magistrates' courts. Over 95 per cent of cases heard at the Crown Court are for indictable offences. It is formally a single court and sits in multiple locations across England and Wales.

The number of defendants tried at the Crown Court has been increasing and in 2010 105,000 defendants were tried. This is:

- ten per cent more than the 95,800 tried in 2009;
- forty per cent more than the 75,000 tried in 2005.

There were increases in trials from 2009 to 2010 for every indictable offence group except *fraud and forgery* and *robbery* and large increases for *violence against the person*, *sexual offences*, *burglary*, *theft and handling* and *drug offences*.

For 2010 compared with 2009 trials for:

- *robbery* remained at 7,200;
- *fraud and forgery* remained at 7,700;
- *violence against the person* increased nine per cent from 23,900 to 26,100;
- *sexual offences* increased 11 per cent from 6,200 to 6,900;
- *burglary* increased 12 per cent from 8,300 to 9,300;
- *theft and handling* increased 14 per cent from 8,500 to 9,700; and

- *drug offences* increased 11 per cent from 12,300 to 13,700.

### **Remands [Tables 3.1 – 3.4]**

*Police remands are the decisions made by a police officer on whether to detain or bail a defendant pending their first appearance in court or send a notice summoning them to appear in court. Court remands are the court's decision on whether a defendant charged with a criminal offence should be held in custody or released on bail during the period up to and including the trial, or while awaiting sentence.*

Defendants are more likely to be remanded in custody for indictable offences than summary offences. As a result the proportion of defendants remanded in custody at the Crown Court is higher than at magistrates' courts.

#### **Police remands [Table 3.1]**

In 2010, there were 1.73 million<sup>10</sup> defendants directed to appear at magistrates' courts, a decrease of three per cent compared with 2009. Of these, 33 per cent were granted bail by the police, 11 per cent were remanded in custody, and the remaining 56 per cent were directed to appear via summonses.

The proportion of defendants remanded in custody varies by offence type and for indictable offences has increased every year since 2007. In 2010 the proportions remanded in custody were:

- twenty-eight per cent (136,000), for indictable offences, one percentage point more than 2009 and 12 percentage points more than the 16 per cent in 2007;
- eight per cent (48,400) for summary non-motoring offences, one percentage point more than 2009; and;
- one per cent (9,230) for summary motoring offences, one percentage point lower than 2009.

#### **Magistrates' courts [Table 3.2]**

In 2010, 1.73<sup>11</sup> million defendants were proceeded against at magistrates' courts. Of these it was estimated that:

- thirty-four per cent were granted bail;
- three per cent were remanded in custody; and the remaining
- sixty-three per cent had their case concluded at the magistrates' courts without being remanded.

The proportion of defendants remanded into custody at magistrates' courts has remained broadly consistent and in 2010 was only one percentage point lower than 2000 across offence types.

<sup>10</sup> Including those who failed to appear

<sup>11</sup> Includes those who failed to appear.

The proportion of defendants remanded in custody by magistrates' by offence type in 2010 were:

- ten per cent (49,800) for indictable cases;
- one per cent (9,300) for summary non-motoring offences;
- less than 0.5 per cent (1,260) for summary motoring offences.

**Outcomes of cases dealt with by magistrates' courts**

Of the 1.06 million defendants not remanded by magistrates in 2010:

- two per cent (25,200) were given a custodial sentence;
- three per cent (28,800) were committed to the Crown Court for sentence or trial;
- sixteen per cent (165,000) were acquitted or not proceeded against;
- a further 79 per cent (838,000) were given a non-custodial sentence.

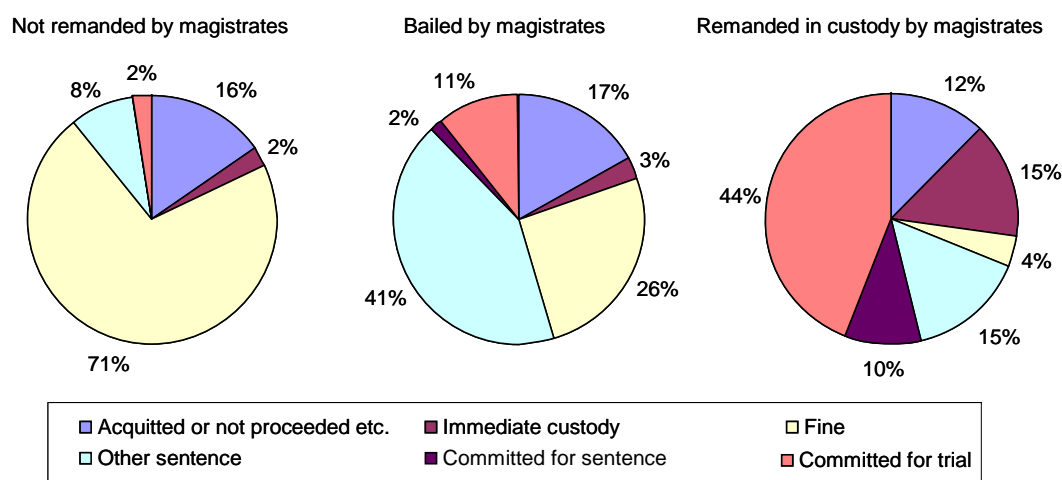
Of the 538,000 defendants remanded on bail:

- three per cent (15,200) were given a custodial sentence;
- twelve per cent (66,500) were committed to the Crown Court for sentence or trial;
- seventeen per cent (90,300) were acquitted or not proceeded against;
- a further 68 per cent (365,00) were given a non-custodial sentence.

Of the 58,300 defendants remanded in custody

- fifteen per cent (8,510) were given a custodial sentence;
- twelve per cent (7,210) were acquitted or not proceeded against;
- fifty-three per cent (31,100) were committed to the Crown Court for sentence or trial;
- a further 17 per cent (10,900) were given a non-custodial sentence.

**Figure 3.2: Proportion of all defendants proceeded against at magistrates' courts by type of court remand and outcome of proceedings, 2010 (e)**



(e) Data for 2010 are estimated.

### Committals

More serious (indictable) offences are sent by magistrates' courts to the Crown Court for either trial or sentence.

- While defendants committed for trial at the Crown Court increased from 79,500 in 2006 to 106,000 in 2010, over the same period the proportion remanded in custody fell three percentage points from 31 per cent to 28 per cent.
- The highest proportion of defendants committed for trial and remanded in custody were for the offences of *burglary* (52 per cent), *robbery* (51 per cent) and *criminal damage* (39 per cent). These proportions are almost unchanged compared with 2009.

### Crown court remands [Table 3.3]

The proportion of defendants tried at the Crown Court for indictable offences who were remanded on bail has increased each year from 47 per cent in 2006 to 54 per cent in 2010 whereas the proportion remanded in custody fell from 37 per cent to 34 per cent over the same period.

### Outcomes of cases dealt with at the Crown Court

Of the 42,900 defendants remanded in custody by the Crown Court in 2010:

- seventy-three per cent (31,500) were given a custodial sentence;
- eleven per cent (4,700) were acquitted or not proceeded against.

Of the 83,600 defendants remanded on bail by the Crown Court in 2010:

- twenty-five per cent (21,100) were given a custodial sentence;

- twenty-one per cent (17,600) were acquitted or not proceeded against.

**Ethnicity [Table 3.4, 4.12 & 4.13]**

Data on the ethnicity of defendants is currently available for indictable offences only. It is collected using the officer observed appearance 4+1 system.

In 2010 the proportion of defendants tried at the Crown Court for indictable offences that were held on remand was 33 per cent for white defendants, 45 per cent for black defendants and 33 per cent for Asian defendants.

**Failure to appear**

Each year a proportion of defendants fail to appear in court having been summoned to appear or granted bail.

- In 2010 just under 81,000 defendants failed to appear to bail or summons at magistrates' courts, five per cent of those directed to appear. This compares with 91,000 in 2009 and 113,000 in 2008, where the proportion failing to appear was five per cent and six per cent respectively. (Table 4.6).

Approximately 2,600 defendants on bail failed to appear at the Crown Court.



**Table 3.1 - Defendants directed to appear at magistrates' courts<sup>(1)</sup> by type of offence and how directed to appear, 2000 - 2010 (e)**

England and Wales	Defendants proceeded against										Defendants (thousands and percentages)											
	2000 <sup>(2)</sup>	2001 <sup>(2)</sup>	2002 <sup>(2)</sup>	2003 <sup>(2)</sup>	2004	2005	2006	2007	2008 <sup>(3)</sup>	2009	2010	2000 <sup>(2)</sup>	2001 <sup>(2)</sup>	2002 <sup>(2)</sup>	2003 <sup>(2)</sup>	2004	2005	2006	2007	2008 <sup>(3)</sup>	2009	2010
<b>How directed to appear</b>																						
<b>Indictable offences</b>																						
Summoned	36	48	51	54	56	47	48	48	43	39	40	6	8	8	9	10	9	10	10	9	8	8
Arrested and bailed	432	448	462	448	395	360	343	351	322	299	308	76	76	76	74	73	72	72	74	70	65	64
Arrested and held in custody <sup>(4)</sup>	100	91	99	101	93	91	84	76	92	125	136	18	15	16	17	17	18	18	16	20	27	28
<b>Total</b>	<b>568</b>	<b>587</b>	<b>611</b>	<b>602</b>	<b>544</b>	<b>498</b>	<b>475</b>	<b>474</b>	<b>458</b>	<b>462</b>	<b>484</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
<b>Summary offences (other than motoring)</b>																						
Summoned	423	368	408	410	459	435	407	387	386	407	386	64	61	61	60	66	65	64	62	63	64	62
Arrested and bailed	207	215	233	241	212	203	207	215	201	188	190	32	35	35	35	30	30	32	34	33	29	30
Arrested and held in custody <sup>(4)</sup>	26	23	24	31	25	28	27	25	30	43	48	4	4	4	5	4	4	4	4	5	7	8
<b>Total</b>	<b>655</b>	<b>606</b>	<b>665</b>	<b>682</b>	<b>695</b>	<b>666</b>	<b>641</b>	<b>626</b>	<b>617</b>	<b>638</b>	<b>624</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
<b>Summary motoring offences</b>																						
Summoned	708	684	695	751	798	722	647	615	542	574	536	82	82	80	80	82	81	80	81	82	84	86
Arrested and bailed	135	140	152	162	161	157	148	139	110	99	81	16	16	17	18	16	18	18	18	17	15	13
Arrested and held in custody <sup>(4)</sup>	16	14	18	21	16	16	12	9	9	10	9	2	2	2	2	2	2	1	1	1	2	1
<b>Total</b>	<b>859</b>	<b>838</b>	<b>865</b>	<b>934</b>	<b>976</b>	<b>895</b>	<b>807</b>	<b>763</b>	<b>661</b>	<b>684</b>	<b>626</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
<b>All offences</b>																						
Summoned	1,167	1,101	1,154	1,215	1,313	1,205	1,102	1,049	971	1,020	961	56	54	54	55	59	59	57	56	56	57	55
Arrested and bailed	774	803	846	851	768	719	698	705	633	586	579	37	40	40	38	35	35	36	38	36	33	33
Arrested and held in custody <sup>(4)</sup>	142	128	141	153	135	135	123	110	131	179	194	7	6	7	7	6	7	6	6	8	10	11
<b>Total</b>	<b>2,082</b>	<b>2,032</b>	<b>2,141</b>	<b>2,219</b>	<b>2,215</b>	<b>2,060</b>	<b>1,923</b>	<b>1,864</b>	<b>1,736</b>	<b>1,784</b>	<b>1,734</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

(e) Data for 2008, 2009 and 2010 are estimated.

(1) The number of persons directed to appear includes those who failed to appear to a summons or to bail, who are excluded from the proceedings figures given in other chapters of this volume. Approximately 81,000 persons (5 per cent of those directed to appear) failed to appear in 2010.

(2) Includes estimates for those offences omitted from the data supplied.

(3) Excludes remands data for Cardiff magistrates' court for April, July, and August 2008.

(4) Includes those remanded for part of the time in custody and part on bail.

Note: Some figures may not sum due to rounding.

**Table 3.2 - Defendants proceeded against at magistrates' courts<sup>(1)</sup>, who were remanded by magistrates, by type of offence and type of remand, 2000 - 2010 (e)**

Type of offence	Defendants proceeded against (thousands)										Percentages											
	2000 <sup>(2)</sup>	2001 <sup>(2)</sup>	2002 <sup>(2)</sup>	2003 <sup>(2)</sup>	2004	2005	2006	2007	2008 <sup>(3)</sup>	2009	2010	2000 <sup>(2)</sup>	2001 <sup>(2)</sup>	2002 <sup>(2)</sup>	2003 <sup>(2)</sup>	2004	2005	2006	2007	2008 <sup>(3)</sup>	2009	2010
<b>Indictable offences</b>																						
Not remanded	183	209	240	259	207	199	191	201	168	116	128	32	36	39	43	38	40	40	42	24	25	26
Remanded on bail	320	319	309	289	289	256	244	235	237	297	305	56	54	51	48	53	51	51	50	57	64	63
Remanded in custody <sup>(4)</sup>	65	60	62	55	48	43	40	38	53	49	50	11	10	10	9	9	9	8	8	18	11	10
<b>Total</b>	<b>568</b>	<b>587</b>	<b>611</b>	<b>602</b>	<b>544</b>	<b>498</b>	<b>475</b>	<b>474</b>	<b>458</b>	<b>462</b>	<b>484</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
<b>Summary offences (other than motoring)</b>																						
Not remanded	536	474	534	539	542	515	487	471	452	435	421	82	78	80	79	78	77	76	75	69	68	67
Remanded on bail	110	125	123	133	144	142	144	146	153	193	194	17	21	18	20	21	21	22	23	27	30	31
Remanded in custody <sup>(4)</sup>	10	7	7	10	10	9	10	10	13	10	9	1	1	1	2	1	1	2	2	4	2	1
<b>Total</b>	<b>656</b>	<b>606</b>	<b>665</b>	<b>682</b>	<b>695</b>	<b>666</b>	<b>641</b>	<b>626</b>	<b>618</b>	<b>638</b>	<b>624</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
<b>Summary motoring offences</b>																						
Not remanded	774	748	773	825	854	783	709	673	585	575	537	90	89	89	88	87	87	88	88	85	84	86
Remanded on bail	75	79	78	99	113	106	92	86	89	107	88	9	9	9	11	12	12	11	11	14	16	14
Remanded in custody <sup>(4)</sup>	9	11	13	10	9	6	5	4	4	2	1	1	1	2	1	1	1	1	1	1	0	0
<b>Total</b>	<b>859</b>	<b>838</b>	<b>865</b>	<b>934</b>	<b>976</b>	<b>895</b>	<b>807</b>	<b>763</b>	<b>678</b>	<b>684</b>	<b>626</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
<b>All offences</b>																						
Not remanded	1,493	1,431	1,548	1,622	1,603	1,496	1,388	1,345	1,205	1,127	1,087	72	70	72	73	72	73	72	72	63	63	63
Remanded on bail	505	523	510	521	546	505	480	467	479	597	587	24	26	24	23	25	25	25	25	30	33	34
Remanded in custody <sup>(4)</sup>	84	78	82	76	67	59	55	52	70	61	60	4	4	4	3	3	3	3	3	7	3	3
<b>Total</b>	<b>2,082</b>	<b>2,032</b>	<b>2,141</b>	<b>2,219</b>	<b>2,215</b>	<b>2,060</b>	<b>1,923</b>	<b>1,864</b>	<b>1,754</b>	<b>1,784</b>	<b>1,734</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

(e) Data for 2008, 2009 and 2010 are estimated.

(1) Total number of persons proceeded against includes those who failed to appear to a summons, or to bail, who are excluded from the proceedings figures given in other chapters.

(2) Includes estimates for those offences omitted from data supplied.

(3) Excludes remands data for Cardiff magistrates' court for April, July, and August 2008.

(4) Including those remanded in custody at any stage of proceedings at magistrates' courts who may also have been given bail at some stage of those proceedings.

Note: Some figures may not sum due to rounding.

**Table 3.3 - Defendants tried at the Crown Court<sup>(1)</sup> who were remanded by type of offence and type of remand, 2006 - 2010**

England and Wales	Type of offence	Defendants (thousands)				Defendants (thousands and percentages)								
		2007		2008 <sup>(2)</sup>		2007		2008 <sup>(2)</sup>						
		2006	2007	2008 <sup>(2)</sup>	2009	2010	2006	2007	2008 <sup>(2)</sup>	2009	2010			
	<b>Indictable offences</b>													
	Not remanded	15.0	14.2	15.2	15.8	14.4	16	14	15	14	12			
	Remanded on bail	44.0	48.1	51.0	56.5	64.2	47	49	49	51	54			
	Remanded in custody <sup>(3)</sup>	34.9	35.8	38.1	39.0	41.4	37	37	37	35	35			
	<b>Total</b>	<b>93.9</b>	<b>98.1</b>	<b>104.3</b>	<b>111.3</b>	<b>119.9</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>			
	<b>Summary offences (other than motoring)</b>													
	Not remanded	0.6	0.8	1.0	1.3	1.5	17	21	23	27	25			
	Remanded on bail	1.9	2.2	2.4	2.7	3.4	59	58	57	54	56			
	Remanded in custody <sup>(3)</sup>	0.8	0.8	0.9	1.0	1.2	24	21	20	19	20			
	<b>Total</b>	<b>3.3</b>	<b>3.8</b>	<b>4.3</b>	<b>5.0</b>	<b>6.1</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>			
	<b>Summary motoring offences</b>													
	Not remanded	0.2	0.4	0.4	0.4	0.4	34	37	38	42	40			
	Remanded on bail	0.3	0.5	0.5	0.4	0.4	45	47	49	46	40			
	Remanded in custody <sup>(3)</sup>	0.1	0.2	0.1	0.1	0.1	20	17	13	12	10			
	<b>Total</b>	<b>0.7</b>	<b>1.0</b>	<b>1.0</b>	<b>0.9</b>	<b>1.0</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>			
	<b>All offences</b>													
	Not remanded	15.8	15.4	16.6	17.5	16.3	16	15	15	15	13			
	Remanded on bail	46.3	50.8	53.9	59.6	68.0	47	49	49	51	54			
	Remanded in custody <sup>(3)</sup>	35.8	36.8	39.1	40.1	42.7	37	36	36	34	34			
	<b>Total</b>	<b>97.9</b>	<b>103.0</b>	<b>109.6</b>	<b>117.2</b>	<b>127.0</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>			

(1) Total number of persons proceeded against includes those who failed to appear to a summons, or to bail, who are excluded from the proceedings figures given in other chapters.

(2) Excludes remands data for Cardiff magistrates' court for April, July, and August 2008.

(3) Including those remanded in custody at any stage of proceedings at the Crown Court who may also have been given bail at some stage of those proceedings.

Note: Some figures may not sum due to rounding.

**Table 3.4 - Defendants<sup>(1)</sup> tried at the Crown Court by ethnicity<sup>(2)</sup>, remand status and offence group, 2010**

England and Wales		Defendants (thousands)				
Offence group <sup>(3)</sup> and remand status	Total	Ethnicity				Not recorded
		White	Black	Asian	Other	
		Defendants (thousands)				
<b>Violence against the person</b>	<b>30.0</b>	<b>22.4</b>	<b>2.9</b>	<b>1.9</b>	<b>0.8</b>	<b>2.0</b>
Not remanded	0.0	0.0	0.0	0.0	0.0	0.0
Bailed	21.2	16.2	1.7	1.4	0.5	1.4
Remanded in custody <sup>(4)</sup>	8.8	6.2	1.1	0.5	0.3	0.7
<b>Sexual offences</b>	<b>7.4</b>	<b>5.3</b>	<b>0.7</b>	<b>0.6</b>	<b>0.2</b>	<b>0.6</b>
Not remanded	0.0	0.0	0.0	0.0	0.0	0.0
Bailed	5.1	3.8	0.4	0.4	0.1	0.4
Remanded in custody <sup>(4)</sup>	2.3	1.5	0.3	0.2	0.1	0.2
<b>Burglary</b>	<b>12.3</b>	<b>10.0</b>	<b>0.9</b>	<b>0.4</b>	<b>0.3</b>	<b>0.8</b>
Not remanded	0.0	0.0	0.0	0.0	0.0	0.0
Bailed	4.9	4.1	0.3	0.2	0.1	0.3
Remanded in custody <sup>(4)</sup>	7.4	5.9	0.6	0.2	0.2	0.5
<b>Robbery</b>	<b>7.5</b>	<b>4.5</b>	<b>1.5</b>	<b>0.6</b>	<b>0.3</b>	<b>0.7</b>
Not remanded	0.0	0.0	0.0	0.0	0.0	0.0
Bailed	3.4	1.9	0.6	0.3	0.2	0.3
Remanded in custody <sup>(4)</sup>	4.2	2.5	0.9	0.3	0.2	0.3
<b>Theft and handling stolen goods</b>	<b>13.5</b>	<b>10.0</b>	<b>1.2</b>	<b>0.8</b>	<b>0.4</b>	<b>1.1</b>
Not remanded	0.0	0.0	0.0	0.0	0.0	0.0
Bailed	9.7	7.2	0.9	0.6	0.3	0.8
Remanded in custody <sup>(4)</sup>	3.9	2.9	0.4	0.2	0.1	0.3
<b>Fraud and forgery</b>	<b>9.0</b>	<b>3.7</b>	<b>1.6</b>	<b>0.9</b>	<b>0.6</b>	<b>2.2</b>
Not remanded	0.0	0.0	0.0	0.0	0.0	0.0
Bailed	6.3	2.9	0.8	0.6	0.3	1.8
Remanded in custody <sup>(4)</sup>	2.7	0.8	0.8	0.3	0.3	0.4
<b>Criminal damage</b>	<b>2.4</b>	<b>1.9</b>	<b>0.1</b>	<b>0.1</b>	<b>0.1</b>	<b>0.2</b>
Not remanded	0.0	0.0	0.0	0.0	0.0	0.0
Bailed	1.5	1.2	0.1	0.1	0.0	0.1
Remanded in custody <sup>(4)</sup>	0.9	0.8	0.1	0.0	0.0	0.1
<b>Drug offences</b>	<b>16.6</b>	<b>10.5</b>	<b>2.3</b>	<b>1.6</b>	<b>0.8</b>	<b>1.3</b>
Not remanded	0.0	0.0	0.0	0.0	0.0	0.0
Bailed	11.0	7.8	1.3	0.9	0.3	0.7
Remanded in custody <sup>(4)</sup>	5.6	2.7	1.0	0.7	0.6	0.6
<b>Other indictable offences</b>	<b>18.7</b>	<b>13.0</b>	<b>1.5</b>	<b>1.4</b>	<b>0.6</b>	<b>2.1</b>
Not remanded	0.3	0.0	0.0	0.0	0.0	0.2
Bailed	13.4	9.6	0.9	1.0	0.4	1.5
Remanded in custody <sup>(4)</sup>	5.1	3.4	0.7	0.4	0.2	0.5
<b>Indictable motoring offences</b>	<b>2.4</b>	<b>1.7</b>	<b>0.2</b>	<b>0.3</b>	<b>0.1</b>	<b>0.2</b>
Not remanded	0.0	0.0	0.0	0.0	0.0	0.0
Bailed	1.9	1.4	0.1	0.2	0.0	0.2
Remanded in custody <sup>(4)</sup>	0.5	0.3	0.1	0.0	0.0	0.0
<b>Total indictable offences</b>	<b>119.9</b>	<b>83.0</b>	<b>12.9</b>	<b>8.5</b>	<b>4.2</b>	<b>11.3</b>
<b>Total not remanded</b>	<b>0.4</b>	<b>0.1</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.2</b>
<b>Total bailed</b>	<b>78.3</b>	<b>55.9</b>	<b>7.1</b>	<b>5.7</b>	<b>2.3</b>	<b>7.4</b>
<b>Total remanded in custody<sup>(4)</sup></b>	<b>41.2</b>	<b>27.0</b>	<b>5.8</b>	<b>2.8</b>	<b>1.9</b>	<b>3.7</b>

(1) Includes those who failed to appear.

(2) Third party observed (4+1) ethnicity data.

(3) Includes indictable offence groups only. In 2010, these accounted for 94 per cent of all cases tried at the Crown Court.

(4) Includes those remanded for part of the time in custody and part on bail.

Note: Some figures may not sum due to rounding.

**Table 3.5 - Defendants<sup>(1)</sup> proceeded against at magistrates' courts by type of offence and age group, 2000 - 2010**

Aged 10-17 England and Wales		Year ending										Number (thousands)		
		2000	2001	2002	2003	2004	2005	2006	2007	2008	2009 <sup>(R)</sup>	2010		
<b>Number proceeded against (thousands)</b>														
Indictable		81.5	84.5	81.0	74.7	69.9	67.5	65.8	67.3	58.8	56.7	54.6		
Summary non-motoring		41.8	44.1	43.3	43.4	45.5	45.9	45.7	47.5	42.9	39.1	35.8		
Summary motoring		18.4	21.4	22.2	22.8	21.3	18.3	14.7	11.8	9.2	7.7	6.0		
All offences		141.7	150.1	146.6	140.8	136.7	131.7	126.2	126.5	111.0	103.6	96.5		
<b>Aged 18 and over England and Wales</b>														
<b>Number proceeded against (thousands)</b>														
Indictable		410.4	416.4	436.0	434.5	363.5	355.8	340.4	337.6	338.6	358.9	383.4		
Summary non-motoring		584.1	527.9	578.7	590.7	619.8	591.1	566.3	551.8	550.4	580.0	571.2		
Summary motoring		768.5	743.3	763.5	834.8	882.7	816.3	746.4	716.6	640.0	652.0	602.1		
All offences		1,763.0	1,687.7	1,778.3	1,860.0	1,865.9	1,763.3	1,653.1	1,606.0	1,529.1	1,590.9	1,556.7		
<b>All ages England and Wales</b>														
<b>Number proceeded against (thousands)</b>														
Indictable		491.8	500.9	517.1	509.2	453.3	423.4	406.2	404.9	397.5	415.6	438.0		
Summary non-motoring		625.9	572.0	622.0	634.1	665.3	637.0	612.0	599.3	593.3	619.2	607.1		
Summary motoring		786.9	764.8	785.8	857.6	904.0	834.7	761.1	728.4	649.2	659.6	608.1		
All offences		1,904.7	1,837.7	1,924.8	2,000.8	2,022.6	1,895.0	1,779.3	1,732.5	1,640.0	1,694.4	1,653.2		

(1) Including "other defendants" i.e. companies, public bodies, etc.

(R) Revisions have been made to 2009 figures to account for the late receipt of a small number of court records.

Note: Some figures may not sum due to rounding.

**Table 3.6 - Number of defendants tried at the Crown Court, by offence group, 2005 - 2010 <sup>(1)</sup>**

England and Wales						
Offence group	2005	2006	2007	2008	2009 <sup>(R)</sup>	2010
<b>Indictable offences</b>	<b>Total number tried (thousands)</b>					
Violence against the person	19.6	20.0	20.7	20.9	23.9	26.1
Sexual offences	5.6	5.8	5.8	5.9	6.2	6.9
Burglary	6.6	6.3	6.9	7.7	8.3	9.3
Robbery	6.2	6.6	6.9	7.1	7.2	7.2
Theft and handling stolen goods	6.6	6.6	7.0	7.7	8.5	9.7
Fraud and forgery	3.6	4.3	6.5	7.6	7.7	7.7
Criminal damage	2.0	1.8	1.8	1.8	1.9	2.0
Drug offences	8.9	8.4	9.8	11.4	12.3	13.7
Other (ex. motoring offences)	11.6	11.4	11.7	12.1	14.1	15.8
Motoring offences	1.7	1.5	1.6	1.7	1.8	1.8
<b>All indictable offences</b>	<b>72.3</b>	<b>72.7</b>	<b>78.6</b>	<b>83.9</b>	<b>91.9</b>	<b>100.3</b>
<b>Summary offences</b>						
Offences (ex. motoring offences)	2.3	2.6	2.9	3.0	3.5	4.4
Motoring offences	0.5	0.4	0.6	0.5	0.5	0.5
<b>All summary offences</b>	<b>2.8</b>	<b>3.0</b>	<b>3.5</b>	<b>3.6</b>	<b>4.0</b>	<b>4.9</b>
<b>All offences</b>	<b>75.0</b>	<b>75.7</b>	<b>82.0</b>	<b>87.4</b>	<b>95.8</b>	<b>105.1</b>

(1) Excludes those not tried (i.e. committed for sentence, failed to appear, indictment to lie on file, unfit to plead, defendant died etc.)

(R) Revisions have been made to 2009 figures to account for the late receipt of a small number of court records.

Note: Some figures may not sum due to rounding.

## Offenders found guilty [Tables 4.1 – 4.3]

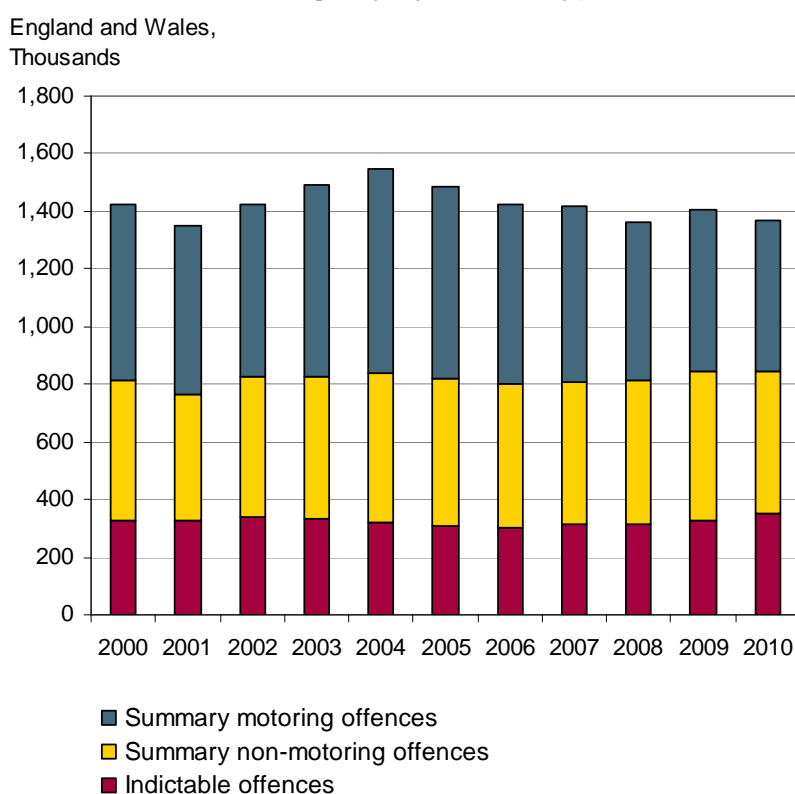
*A conviction is where a person or a company is found guilty of a criminal offence at either magistrates' courts or the Crown Court.*

In 2010 there were 1.37 million offenders found guilty for all offences, a decrease of three per cent from 2009. Compared to 2009 there was:

- an increase of seven per cent in offenders found guilty for indictable offences (351,000 in 2010);
- a decrease of four per cent in offenders found guilty of summary non-motoring offences (493,000 in 2010);
- a decrease of seven per cent in offenders found guilty of summary motoring offences (523,000 in 2010).

Convictions for indictable offences accounted for 26 per cent of the total offenders found guilty in 2010, the highest this proportion since 2000. Summary non-motoring offences accounted for 36 per cent, and summary motoring offences for 38 per cent.

**Figure 4.1: Offenders found guilty by offence type, 2000 - 2010**

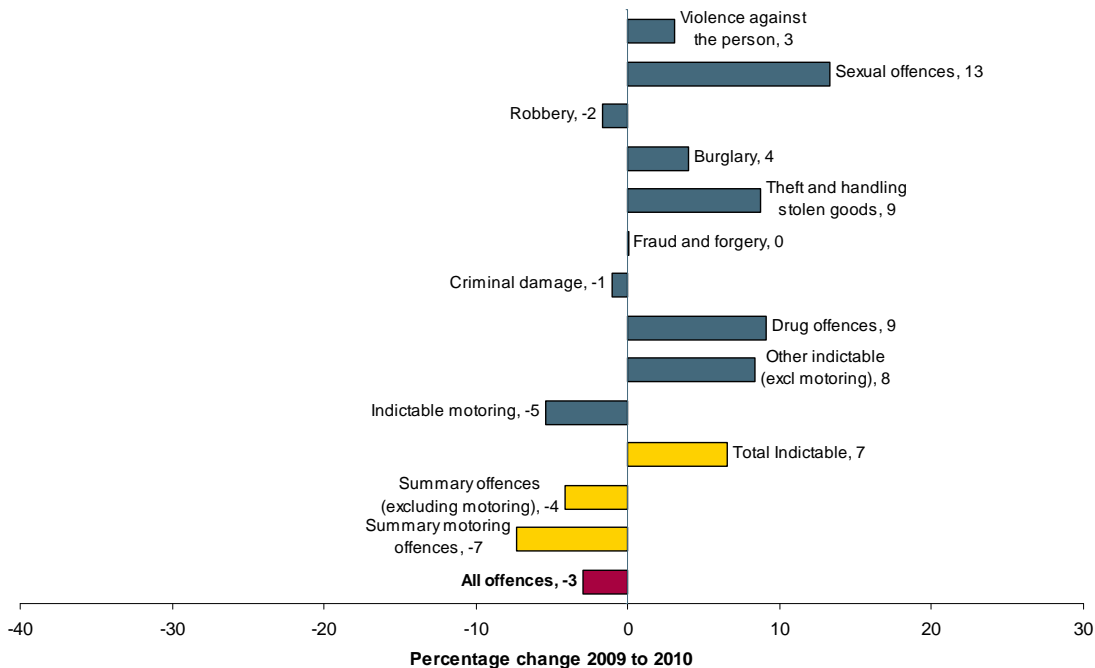


## Convictions by offence group

The seven per cent increase in convictions for indictable offences between 2009 and 2010 was mainly due to changes in the following offences:

- convictions for 'theft from shops and stalls' (shoplifting) increased by nine per cent from 72,900 to 79,200. This increase coincided with a decrease in the same period for out of court disposals for this offence;
- convictions for 'possession of cannabis' increased by 17 per cent from 21,500 to 25,200. This increase coincided with a decrease in the same period for cannabis warnings and cautions for this offence.

**Figure 4.2: Percentage change in convictions by offence type and offence group, 2009 - 2010**



## Conviction demographics

A total of 1.02 million males were found guilty in 2010, 77 per cent of all persons convicted, compared with 305,000 females found guilty, 23 per cent of all persons<sup>12</sup>. The proportion of persons found guilty who were female increased from 18 per cent in 2000 to 23 per cent in 2010. This has been due to a 19 per cent increase in females found guilty during this period, from 256,000 to 305,000. In comparison, males found guilty fell from 1.16 million to 1.02 million, a decrease of 12 per cent.

A total of 73,900 juveniles (persons aged 10 to 17) were found guilty in 2010, a decrease of nine per cent from 2009. Since 2000, convictions for juveniles peaked at 97,400 in 2007, followed by year on year decreases to 2010. In comparison, 1.29 million adults were found guilty in 2010, a fall of two per cent. Since 2000, convictions for adults peaked at 1.44 million in 2004, followed by year-on-year decreases until 2008, with a slight rise in 2009.

<sup>12</sup> These figures are based on known 'males' and 'females'. Following the introduction of the Libra case management system during 2008, offenders at magistrates' courts can now be recorded as sex 'Not stated'. These figures have been excluded.



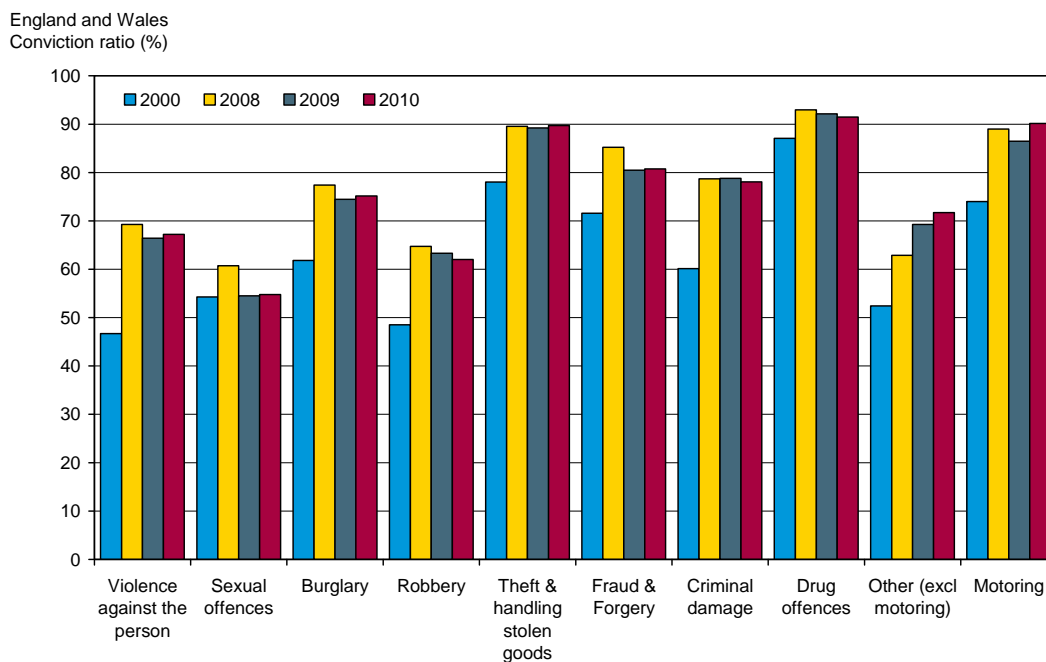
In 2010 there were 350,000 persons found guilty of an indictable offence, of which 90 per cent had their ethnicity recorded.

### Conviction ratio

The conviction ratio is defined as the proportion of defendants proceeded against who were found guilty. In 2010, the conviction ratio for all offences was 83 per cent, the same level it has been in the previous two years. In comparison with 2000, the conviction ratio has risen by eight percentage points. Compared to 2009 there was:

- an increase of one percentage point in the conviction ratio for indictable offences (80 per cent in 2010).
- a decrease of two percentage points in the conviction ratio for summary non-motoring offences (81 per cent in 2010).
- no change in the conviction ratio for summary motoring offences (86 per cent in 2010).

**Figure 4.3: Conviction ratio by indictable offence group, 2000, 2008, 2009 and 2010**



Seven of the ten indictable offence group conviction ratios in 2010 have increased, with one remaining the same and two decreasing in comparison with 2009. All of the indictable offence groups conviction ratios in 2010 have increased in comparison with 2000. The largest increase was for 'violence against the person', which increased from 47 per cent to 67 per cent. This increase is reflected in the conviction ratio increase for 'assaults occasioning actual bodily harm' which increased by 22 percentage points, from 46 per cent in 2000 to 68 per cent in 2010.

**Table 4.1 - Offenders found guilty at all courts by offence group, 2000 - 2010**

England and Wales	Number of offenders (thousands)										
	2000	2001	2002	2003	2004	2005	2006	2007	2008 <sup>(1)</sup>	2009 <sup>(R)</sup>	2010
<b>Offence group</b>											
<b>Indictable offences</b>											
Violence against the person	35.3	35.3	37.7	38.0	39.1	40.9	41.9	42.0	41.5	43.5	44.8
Sexual offences	3.9	4.0	4.4	4.3	4.8	4.8	4.9	5.1	5.1	5.1	5.8
Burglary	26.2	24.8	26.7	25.7	24.3	23.0	23.0	23.8	23.9	23.0	23.9
Robbery	5.9	6.8	7.7	7.3	7.5	7.1	8.1	8.8	8.5	8.6	8.5
Theft and handling stolen goods	128.0	127.0	127.3	119.1	110.6	103.8	99.0	106.0	110.9	112.0	121.8
Fraud and forgery	22.7	21.8	21.5	21.3	20.8	20.4	19.7	21.0	20.6	21.0	21.0
Criminal damage	10.3	10.7	11.0	11.2	11.7	11.7	12.7	12.5	9.6	7.9	7.8
Drug offences	44.6	45.6	49.0	51.2	39.2	39.1	39.6	44.6	52.9	56.8	62.0
Other (excluding motoring offences)	44.6	44.0	48.0	51.5	54.5	53.1	50.0	45.3	40.1	47.7	51.6
Motoring offences	4.1	4.2	4.9	5.5	5.4	4.7	4.4	4.3	3.7	3.6	3.4
<b>Total</b>	<b>325.5</b>	<b>324.2</b>	<b>338.3</b>	<b>335.1</b>	<b>317.8</b>	<b>308.5</b>	<b>303.2</b>	<b>313.3</b>	<b>316.9</b>	<b>329.2</b>	<b>350.6</b>
<b>Summary offences</b>											
Offences (excluding motoring offences)	490.7	442.1	487.2	493.5	522.8	508.9	495.7	491.5	494.2	514.7	493.5
Motoring offences	607.5	583.3	595.8	662.6	707.9	667.1	622.5	611.1	552.2	564.6	523.4
<b>Total</b>	<b>1,098.2</b>	<b>1,025.5</b>	<b>1,083.0</b>	<b>1,156.1</b>	<b>1,230.7</b>	<b>1,175.9</b>	<b>1,118.2</b>	<b>1,102.6</b>	<b>1,046.3</b>	<b>1,079.3</b>	<b>1,016.8</b>
<b>All offences<sup>(2)</sup></b>	<b>1,423.7</b>	<b>1,349.7</b>	<b>1,421.3</b>	<b>1,491.2</b>	<b>1,548.5</b>	<b>1,484.4</b>	<b>1,421.4</b>	<b>1,415.9</b>	<b>1,363.2</b>	<b>1,408.4</b>	<b>1,367.5</b>

R – revisions have been made to 2009 figures to account for the late receipt of a small number of court records.

(1) Excludes convictions data for Cardiff magistrates' court for April, July, and August 2008.

(2) May not sum due to rounding.

**Table 4.2 - Offenders found guilty at all courts by offence group, sex and age group, 2010**

England and Wales	Number of offenders (thousands)						
	All offenders	Males			Females		
		All ages	Aged 10-17	Aged 18 & over	All ages	Aged 10-17	Aged 18 & over
<b>Indictable offences</b>							
Violence against the person	44.8	39.4	5.3	34.1	5.3	1.1	4.3
Sexual offences	5.8	5.7	0.6	5.1	0.1	0.0	0.1
Burglary	23.9	22.9	4.9	18.0	1.0	0.3	0.7
Robbery	8.5	7.8	3.1	4.7	0.7	0.3	0.4
Theft and handling stolen goods	121.8	95.4	10.9	84.5	26.0	2.6	23.4
Fraud and forgery	21.0	14.2	0.4	13.8	6.3	0.1	6.2
Criminal damage	7.8	6.9	1.5	5.4	0.9	0.3	0.6
Drug offences	62.0	57.0	5.6	51.4	4.8	0.3	4.5
Other (excluding motoring offences)	51.6	44.3	3.5	40.9	5.9	0.5	5.4
Motoring offences	3.4	3.2	0.2	3.1	0.2	0.0	0.2
<b>Total</b>	<b>350.6</b>	<b>296.8</b>	<b>35.8</b>	<b>261.0</b>	<b>51.1</b>	<b>5.5</b>	<b>45.6</b>
<b>Summary offences</b>							
Offences (excluding motoring offences)	493.5	309.0	21.7	287.3	161.1	5.4	155.7
Motoring offences	523.4	409.8	4.7	405.1	93.0	0.3	92.7
<b>Total</b>	<b>1,016.8</b>	<b>718.8</b>	<b>26.3</b>	<b>692.4</b>	<b>254.1</b>	<b>5.7</b>	<b>248.4</b>
<b>All offences<sup>(2)</sup></b>	<b>1,367.5</b>	<b>1,015.6</b>	<b>62.2</b>	<b>953.4</b>	<b>305.2</b>	<b>11.2</b>	<b>294.0</b>

(1) Includes sex 'not stated' and other offenders, i.e. companies, public bodies, etc.

(2) May not sum due to rounding.

**Table 4.3 - Conviction ratio<sup>(1)</sup> by offence group, 2000 - 2010**

England and Wales	Percentages											
	2000	2001	2002	2003	2004	2005	2006	2007	2008 <sup>(2)</sup>	2009 <sup>(R)</sup>	2010	
<b>Indictable offences</b>												
Violence against the person	47	46	48	48	55	60	65	69	69	66	67	
Sexual offences	54	48	48	48	50	49	54	59	61	55	55	
Burglary	62	60	61	62	69	72	75	77	77	74	75	
Robbery	49	46	49	53	60	57	61	63	65	63	62	
Theft and handling stolen goods	78	78	78	78	82	84	85	87	90	89	90	
Fraud and forgery	72	71	72	72	76	79	79	82	85	80	81	
Criminal damage	60	58	59	60	66	71	73	75	79	79	78	
Drug offences	87	85	86	87	89	90	90	91	93	92	91	
Other (excluding motoring offences)	52	50	51	51	58	61	62	63	63	69	72	
Motoring offences	74	73	76	77	80	84	85	87	89	86	90	
<b>Total</b>	<b>66</b>	<b>65</b>	<b>65</b>	<b>66</b>	<b>70</b>	<b>73</b>	<b>75</b>	<b>77</b>	<b>80</b>	<b>79</b>	<b>80</b>	
<b>Summary offences</b>												
Offences (excluding motoring offences)	78	77	78	78	79	80	81	82	83	83	81	
Motoring offences	77	76	76	77	78	80	82	84	85	86	86	
<b>Total</b>	<b>78</b>	<b>77</b>	<b>77</b>	<b>78</b>	<b>78</b>	<b>80</b>	<b>81</b>	<b>83</b>	<b>84</b>	<b>84</b>	<b>84</b>	
<b>All offences</b>	<b>75</b>	<b>73</b>	<b>74</b>	<b>75</b>	<b>77</b>	<b>78</b>	<b>80</b>	<b>82</b>	<b>83</b>	<b>83</b>	<b>83</b>	

R – revisions have been made to 2009 figures to account for the late receipt of a small number of court records

(1) Proportion of defendants proceeded against who were found guilty.

(2) Excludes convictions data for Cardiff magistrates' court for April, July, and August 2008.

## Sentencing [Tables 5.1 – 5.8]

*When someone is convicted of a crime, they will be given a sentence by a court which reflects the seriousness of the offence or offences committed by the offender. Sentences are generally time spent in prison, a community sentence, a fine or discharge.*

In 2010 there were 1,365,300<sup>13</sup> offenders sentenced following a criminal conviction, a decrease of three per cent from 2009. Compared to 2009 there was:

- a decrease of six per cent in offenders sentenced for summary offences (1,017,100 in 2010) but an increase of six per cent for offenders sentenced for indictable offences (to 348,200 in 2010).
- a decrease of four per cent in offenders sentenced at magistrates' courts (to 1,263,400 in 2010) but an increase of eight per cent in offenders sentenced at the Crown Court (102,000 in 2010). This continues the trend seen over the last few years of increasing numbers of offenders being sentenced at the Crown Court.

## Sentence outcomes for all offences

### Custodial sentences

In 2010 there were 101,500 persons sentenced to immediate custody, an increase of one per cent compared to 2009 but a four per cent decrease since 2000. The custody rate has changed over the past decade with between 6.7 and 7.9 per cent of all persons sentenced receiving an immediate custodial sentence.

Of the 101,500 persons sentenced to immediate custody in 2010:

- The average custodial sentence length (ASCL<sup>14</sup>) remained the same as 2009 at 13.7 months. The number of custodial sentences given for three months and under increased by six per cent from 2009 to 38,300, sentences of three to twelve months fell by four per cent to 30,300 and sentences for over twelve months increased by two per cent to 32,900.
- There were 1,400 indeterminate sentences handed down in 2010, this was the same as in 2009 and a rise of 250 per cent on 2000. The rise since 2000 is mainly attributable to the introduction of Indeterminate sentences of imprisonment for Public Protection (IPP) in 2005, the use of these sentences rose from 430 in 2005 to 1,700 in 2007 but have since fallen to 1,000 in 2010. This reduction is likely to be due to the Criminal Justice and Immigration Act 2008 which allows courts greater discretion in imposing an IPP and is intended to ensure that IPPs are only imposed on the most dangerous offenders.
- The number of life sentences fell from 420 in 2009 to 384 in 2010 which is the lowest figure in the last decade. Of the 384 life sentences in 2010, 344 were for murder, this is 28 fewer than in 2009 and 87 fewer than in 2008 but still an

<sup>13</sup> Includes 7,750 organisations such as companies and public bodies.

<sup>14</sup> ACSL excludes life/indeterminate sentences

increase from 238 in 2000. The use of life sentences has changed in the past decade particularly since the introduction of IPP's in 2005. For example in 2000, 71 offenders were given a life sentence for the offence of Malicious Wounding with intent. However, by 2010 just six offenders were given a life sentence for this offence but a further 223 had been given an IPP.

- 48,900 custodial sentences were imposed at magistrates' courts and 52,600 were at the Crown Court, an increase of one and two percent respectively compared to 2009. At the magistrates' courts the ASCL fell by 0.1 months from 2009 to 2.5 months whilst at the Crown Court the ASCL remained stable at 24.3 months.
- For those sentenced for indictable offences the custody rate was 23.9 per cent (down from 24.6 per cent in 2009) and the ACSL was 16.2 months - down from 16.5 months in 2009 but up from 14.0 months in 2000. The higher custody rates and ACSL reflect the more serious nature of indictable offences.

### **Suspended Sentence Orders**

In 2010 there were 48,100 Suspended Sentence Orders handed down, an increase of seven per cent from 2009. Of these sentences:

- 26,200 persons received their sentence at the magistrates' courts, an increase of three per cent on 2009. Similar to previous years this type of sentence was given to a low proportion of those sentenced (two per cent of persons in 2010 sentenced at magistrates' courts).
- 21,900 suspended sentences were given at the Crown Court, an increase of 11 per cent on 2009. Twenty-two per cent of people sentenced at the Crown Court were given a suspended sentence, this was up slightly from 21 per cent in 2009.

### **Community sentences**

There were 189,300 community sentences handed down in 2010. For adults Community Orders accounted for nearly all the community sentences given (99 per cent) while for juveniles the Referral Order was still the most common sentence (accounting for 54 per cent of all juvenile community sentences). The new Youth Rehabilitation Order (YRO) accounted for a further 31 per cent of all juvenile community sentences. Of the 189,300 community sentences handed down:

- 170,100 persons received their sentence at magistrates' courts – this was a five per cent fall from 2009 (down 9,600 sentences) but an increase of 25 per cent on 2000 (up 34,200). The community sentence rate (the proportion of all persons sentenced receiving a community sentence) has steadily risen over the past decade from 10.1 per cent in 2000 to 13.5 per cent in 2010.
- 19,200 persons received their sentence at the Crown Court. This was a 19 per cent increase from 2009 (up by 3,000 sentences) but a two per cent fall (down 400 sentences) from 2000. The community sentence rate at the Crown Court increased by two per cent from 2009 to 18.9 per cent but is still used far less as a sentence compared to the start of the decade (26.4 per cent in 2000).

## Fines

Fines continue to be the most common sentence due to the large volumes issued at magistrates' courts. In 2010 there were 894,000 fines handed down (99.7 per cent of these being issued at magistrates' courts). Of the offenders receiving fines in 2010:

- The majority (93 per cent) were issued for summary offences.
- There were 60,200 fines issued for indictable offences. The fine rate for indictable offences at all courts was 17.3 per cent which is a decrease from 25.2 per cent in 2000.
- Compared to 2009 the median fine issued remained the same at £175 whilst the mean amount rose by two per cent to £223. [Tables A5.44a, A5.44b].

## Confiscation orders

One thousand two hundred offenders sentenced for drug trafficking offences in 2010 were also made subject to a confiscation order, this was similar to the volume imposed in 2009. From the orders made in 2010 £5.1 million of assets were ordered to be confiscated and the average order was made for £4,300. In the past five years the peak year for confiscated assets was 2008 when £20.5 million worth of assets were ordered to be confiscated.

## Other sentences [Table A5.4]

Other sentences comprise absolute and conditional discharges and 'otherwise dealt with' sentences. The latter category deals with a miscellaneous group containing: mental health disposals; ancillary orders (e.g. compensation or confiscation orders); and other procedural disposals. There were 132,500 other sentences handed down in 2010. These comprised:

- 90,500 conditional discharges; an increase of eight per cent from 2009 but a fall of 14 per cent from 2000.
- 8,800 absolute discharges; this was a fall of one per cent from 2009 and a fall of 43 per cent from 2000.
- 33,100 offenders 'otherwise dealt with', an increase of 25 per cent from 2009 and 33 per cent from 2000.

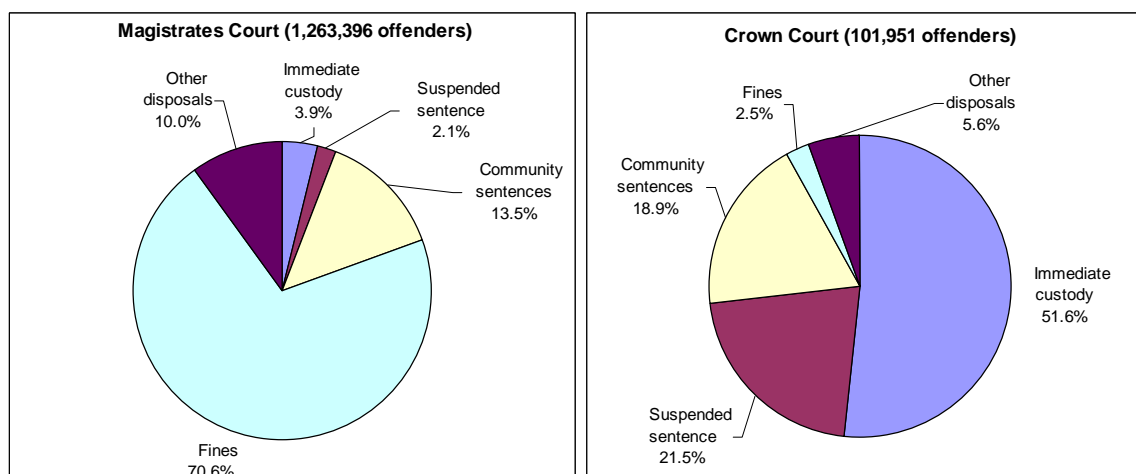
## Sentence outcomes by age band

In 2010 there were 1.28 million adults (aged 18 and over) and 73,900 juveniles (aged 10-17) sentenced. This was a decrease of three per cent in adults sentenced from 2009 and three per cent from 2000. Juveniles have seen steeper declines with a fall of nine per cent from 2009 and 19 per cent from 2000. Other key comparisons are:

- The custody rate for adults was 7.6 per cent; this was up from 7.2 per cent in 2009 and up from 7.5 per cent in 2000. The custody rate for juveniles was 5.7 per cent; this was a decrease from 6.1 per cent in 2009 and 8.1 per cent in 2000.
- The community sentence rate for adults was 11.0 per cent in 2010; this was an increase from 10.6 per cent in 2009 and 9.0 per cent in 2000. The

- The large increase in the community sentence rate for juveniles over the last decade has been offset by decreases in the fine rate (from 23.4 to 8.8 per cent) and the discharge rate (from 24.8 to 13.7 per cent).

**Figure 5.1: Sentence outcomes handed down by courts, 2010**



## Offenders sentenced by ethnicity

Data on the ethnicity of offenders is currently held for offenders who have been convicted of an indictable offence. In 2010 there were 347,400 persons sentenced for indictable offences of which 314,000 (90 per cent) had their ethnicity recorded. Of these persons:

- Eighty-three per cent were white; ten per cent were black; and five per cent were Asian. The remaining two per cent were of 'other' ethnicity.
- The immediate custody rate for indictable offences for all ethnicities was 24 per cent. This varied between ethnicities with: White offenders having a custody rate of 23 per cent; Black offenders having a custody rate of 27 per cent; and Asian offenders having a custody rate of 29 per cent. These differences are likely to be a reflection of the different offences committed and different offender characteristics between ethnicities. For more information see the publication *Race and the Criminal Justice System*<sup>15</sup>.

## Persons sentenced for indictable offences

In 2010 there were 347,400 persons sentenced for indictable offences, an increase of six per cent from 326,600 in 2009. Of these persons:

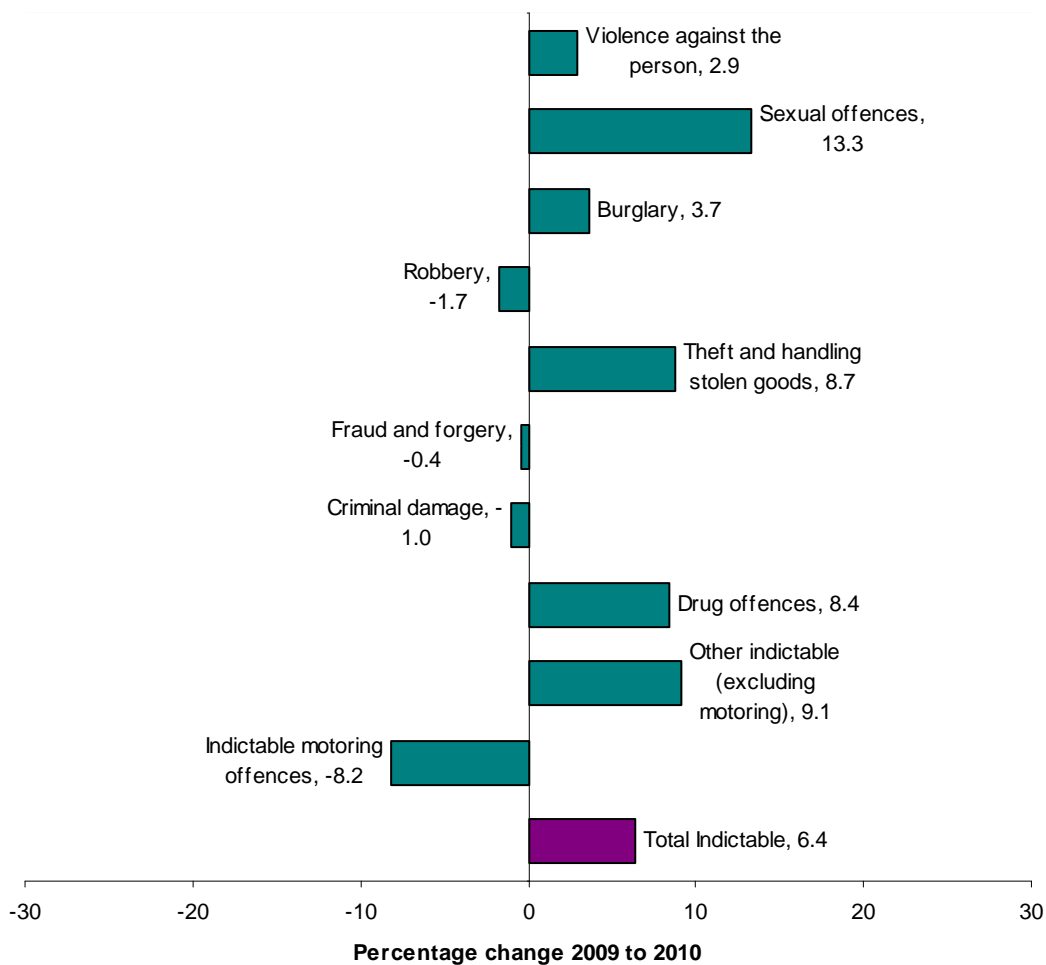
- Over half were sentenced for either theft and handling stolen goods (35 per cent) or drug offences (18 per cent).

<sup>15</sup> [www.justice.gov.uk/publications/statistics-and-data/criminal-justice/race.htm](http://www.justice.gov.uk/publications/statistics-and-data/criminal-justice/race.htm)



- Theft and handling stolen goods and drug offences accounted for over two thirds (70 per cent) of the increase in indictable offences since 2009. The largest increases for 2010 (compared to 2009) were seen for the number of persons sentenced for stealing from shops and stalls (up by 6,200 to 78,870) and having possession of cannabis (up by 3,700 to 25,000).
- The largest proportionate increase was for those sentenced for sexual offences which increased by 13 per cent to 5,800 from 5,100 in 2009. Thirty per cent of this increase was accounted for by persons sentenced for the offence of sexual assault on a female (from 1,080 persons sentenced in 2009 to 1,290 in 2010).
- The largest proportionate decrease was indictable motoring offences, down eight per cent to 3,175 which is mainly comprised of the offence Dangerous driving: - Aiding, abetting, causing or permitting reckless driving Road Traffic Act 1988 as amended by Road Traffic Act 1991 S.2.

**Figure 5.2: Percentage change in persons sentenced by indictable offence group, 2009 – 2010**



**Table 5.1 Offenders sentenced by offence group and outcome, all courts, 2000-2010**

England and Wales		Number of offenders										
Offence group	Outcome	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009 <sup>(R)</sup>	2010
<b>All indictable offences</b>	<b>Total number sentenced</b>	326,210	323,203	336,744	333,930	316,937	306,598	302,537	312,258	315,900	327,361	348,220
	<i>Number given:</i>											
	Immediate custody	80,784	80,273	85,151	80,794	79,938	76,291	73,532	74,037	79,058	80,265	82,939
	Suspended sentence	2,453	2,139	1,963	2,055	2,143	5,610	20,799	27,254	28,455	31,131	34,176
	Community sentences	97,948	102,063	110,768	109,549	111,013	111,724	102,971	105,142	102,782	107,924	108,495
	Fines	82,110	77,466	78,470	78,250	65,095	58,433	51,628	49,463	49,646	56,080	60,201
<b>Summary non-motoring offences</b>	Other disposals	62,915	61,262	60,392	63,282	58,748	54,540	53,607	56,362	55,959	51,961	62,409
	Average custodial sentence length (months) <sup>(1)</sup>	14.0	14.7	15.5	15.7	16.1	15.8	15.3	15.2	16.0	16.5	16.2
	<b>Total number sentenced</b>	490,603	441,946	487,028	493,286	522,498	508,729	495,520	491,345	493,943	514,883	493,652
	<i>Number given:</i>											
<b>Summary motoring offences</b>	Immediate custody	9,318	9,051	9,545	9,470	11,215	12,075	12,571	13,277	14,089	14,698	14,634
	Suspended sentence	248	259	216	264	320	1,515	6,041	7,266	7,696	8,970	9,560
	Community sentences	31,494	35,079	41,231	43,310	50,859	58,029	59,585	65,188	65,687	67,817	64,723
	Fines	390,551	341,296	379,448	378,689	394,954	375,891	366,512	343,429	344,262	369,947	344,911
	Other disposals	58,992	56,261	56,588	61,553	65,150	61,219	60,811	62,185	62,209	53,451	59,824
	Average custodial sentence length (months) <sup>(1)</sup>	2.7	2.7	2.7	2.7	2.8	2.8	2.8	2.7	2.7	2.7	2.6
<b>Summary motoring offences</b>	<b>Total number sentenced</b>	607,536	583,345	595,836	662,611	707,917	667,126	622,514	611,139	552,221	564,661	523,475
	<i>Number given:</i>											
	Immediate custody	16,085	16,949	16,911	17,406	15,169	12,870	9,914	7,892	6,378	5,268	3,940
	Suspended sentence	371	357	340	398	392	2,541	6,669	6,168	5,000	5,056	4,382
	Community sentences	26,096	27,855	34,521	38,563	39,631	34,494	28,281	26,094	21,702	20,162	16,103
	Fines	540,686	511,359	514,819	576,678	622,641	590,740	563,395	548,642	496,388	520,119	488,819
<b>All offences</b>	Other disposals	24,298	26,825	29,245	29,566	30,084	26,481	24,255	22,343	22,753	14,056	10,231
	Average custodial sentence length (months) <sup>(1)</sup>	3.4	3.4	3.4	3.5	3.5	3.4	3.4	3.3	3.2	3.1	3.1
	<b>Total number sentenced</b>	1,424,349	1,348,494	1,419,608	1,489,827	1,547,352	1,482,453	1,420,571	1,414,742	1,362,064	1,406,905	1,365,347
	<i>Number given:</i>											
<b>All offences</b>	Immediate custody	106,187	106,273	111,607	107,670	106,322	101,236	96,017	95,206	99,525	100,231	101,513
	Suspended sentence	3,072	2,755	2,519	2,717	2,855	9,666	33,509	40,688	41,151	45,157	48,118
	Community sentences	155,538	164,997	186,520	191,422	201,503	204,247	190,837	196,424	190,171	195,903	189,321
	Fines	1,013,347	930,121	972,737	1,033,617	1,082,690	1,025,064	961,535	941,534	890,296	946,146	893,931
	Other disposals	146,205	144,348	146,224	154,401	153,982	142,240	138,673	140,890	140,921	119,468	132,464
	Average custodial sentence length (months) <sup>(1)</sup>	11.4	11.8	12.6	12.6	12.9	12.6	12.4	12.4	13.3	13.7	13.7

(1) Excludes life and indeterminate sentences.

(R) Revisions have been made to 2009 figures to account for the late receipt of a small number of court records.

**Table 5.2 Offenders sentenced by offence group and outcome, magistrates' courts, 2000-2010**

England and Wales		Number of offenders											
Offence group	Outcome	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009 <sup>(R)</sup>	2010	
<b>All indictable offences</b>	<b>Total number sentenced</b>	<b>255,151</b>	<b>254,355</b>	<b>263,748</b>	<b>261,188</b>	<b>244,151</b>	<b>234,410</b>	<b>229,796</b>	<b>235,442</b>	<b>232,255</b>	<b>238,470</b>	<b>253,128</b>	
	<i>Number given:</i>												
	Immediate custody	35,480	36,674	39,286	37,304	35,848	33,221	31,879	31,118	31,118	31,263	30,023	32,050
	Suspended sentence	576	534	475	513	604	3,074	10,877	12,477	12,477	11,572	12,296	13,394
	Community sentences	79,429	83,685	90,272	87,635	89,438	90,584	86,886	91,610	88,833	88,833	93,279	91,228
Fines		80,234	75,500	76,638	76,171	63,246	56,618	50,066	47,728	48,076	54,486	58,466	
	Other disposals	59,432	57,962	57,077	59,565	55,015	50,913	50,088	52,509	52,511	48,386	57,990	
	Average custodial sentence length (months)	2.9	3.0	3.0	3.0	3.0	2.9	2.9	2.8	2.7	2.6	2.5	
<b>Summary non-motoring offences</b>	<b>Total number sentenced</b>	<b>488,148</b>	<b>439,504</b>	<b>484,637</b>	<b>490,767</b>	<b>519,825</b>	<b>505,915</b>	<b>492,347</b>	<b>487,648</b>	<b>489,828</b>	<b>510,079</b>	<b>487,741</b>	
	<i>Number given:</i>												
	Immediate custody	8,726	8,519	9,018	8,953	10,642	11,385	11,835	12,377	12,377	12,964	13,381	13,123
	Suspended sentence	225	236	200	253	306	1,479	5,784	6,912	6,912	7,244	8,166	8,591
	Community sentences	30,616	34,139	40,309	42,383	49,867	56,976	58,570	64,061	64,061	64,445	66,436	62,908
Fines		390,164	340,942	379,127	378,293	394,586	375,554	356,146	343,019	343,897	369,542	344,452	
	Other disposals	58,417	55,668	55,983	60,885	64,424	60,521	60,012	61,279	61,278	52,554	58,667	
	Average custodial sentence length (months)	2.7	2.7	2.7	2.7	2.7	2.7	2.7	2.7	2.6	2.6	2.5	
<b>Summary motoring offences</b>	<b>Total number sentenced</b>	<b>606,709</b>	<b>582,567</b>	<b>595,032</b>	<b>661,809</b>	<b>707,122</b>	<b>666,387</b>	<b>621,842</b>	<b>610,146</b>	<b>551,153</b>	<b>563,766</b>	<b>522,527</b>	
	<i>Number given:</i>												
	Immediate custody	15,769	16,675	16,609	17,139	14,894	12,644	9,717	7,677	6,121	5,025	3,731	
	Suspended sentence	370	352	338	393	390	2,528	6,613	6,082	4,889	4,946	4,206	
	Community sentences	25,887	27,645	34,283	38,310	39,391	34,284	28,149	25,936	21,554	20,014	15,947	
Fines		540,437	511,129	514,619	576,454	622,404	590,538	553,182	548,299	496,003	519,816	488,502	
	Other disposals	24,246	26,766	29,183	29,513	30,043	26,393	24,181	22,152	22,586	13,965	10,141	
	Average custodial sentence length (months)	3.4	3.4	3.4	3.5	3.5	3.4	3.4	3.3	3.2	3.1	3.1	
<b>All offences</b>	<b>Total number sentenced</b>	<b>1,350,008</b>	<b>1,276,426</b>	<b>1,343,417</b>	<b>1,413,764</b>	<b>1,471,098</b>	<b>1,406,712</b>	<b>1,343,985</b>	<b>1,333,236</b>	<b>1,273,236</b>	<b>1,312,315</b>	<b>1,263,396</b>	
	<i>Number given:</i>												
	Immediate custody	59,975	61,868	64,913	63,396	61,384	57,250	53,431	51,172	50,348	48,429	48,904	
	Suspended sentence	1,171	1,122	1,013	1,159	1,300	7,081	23,274	25,471	23,705	25,408	26,191	
	Community sentences	135,932	145,469	164,864	168,328	178,696	181,844	173,605	181,607	174,832	179,729	170,083	
Fines		1,010,835	927,571	970,384	1,030,918	1,080,236	1,022,710	959,394	939,046	887,976	943,844	891,420	
	Other disposals	142,095	140,396	142,242	149,963	149,482	137,827	134,281	135,940	136,375	114,905	126,798	
	Average custodial sentence length (months)	3.0	3.1	3.1	3.1	3.0	3.0	3.0	2.9	2.7	2.7	2.5	

(R) Revisions have been made to 2009 figures to account for the late receipt of a small number of court records.

**Table 5.3 Offenders sentenced by offence group and outcome, the Crown Court, 2000-2010**

England and Wales		Number of offenders										
Offence group	Outcome	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009 <sup>(R)</sup>	2010
<b>All indictable offences</b>	<b>Total number sentenced</b>	<b>71,059</b>	<b>68,848</b>	<b>72,996</b>	<b>72,742</b>	<b>72,786</b>	<b>72,188</b>	<b>72,741</b>	<b>76,816</b>	<b>83,645</b>	<b>88,891</b>	<b>95,092</b>
	<i>Number given:</i>											
	Immediate custody	45,304	43,599	45,865	43,490	44,090	43,070	41,653	42,919	47,795	50,242	50,889
	Suspended sentence	1,877	1,605	1,488	1,542	1,539	2,536	9,922	14,777	16,883	18,835	20,782
	Community sentences	18,519	18,378	20,496	21,914	21,575	21,140	16,085	13,532	13,949	14,645	17,267
<b>Summary non-motoring offences</b>	Fines	1,876	1,966	1,832	2,079	1,849	1,815	1,562	1,735	1,570	1,594	1,735
	Other disposals	3,483	3,300	3,315	3,717	3,733	3,627	3,519	3,853	3,448	3,575	4,419
	Average custodial sentence length (months) <sup>(1)</sup>	22.8	24.5	26.3	26.8	27.0	25.9	25.2	24.6	25.1	25.0	25.0
	<b>Total number sentenced</b>	<b>2,455</b>	<b>2,442</b>	<b>2,391</b>	<b>2,519</b>	<b>2,673</b>	<b>2,814</b>	<b>3,173</b>	<b>3,697</b>	<b>4,115</b>	<b>4,804</b>	<b>5,911</b>
	<i>Number given:</i>											
<b>Summary motoring offences</b>	Immediate custody	592	532	527	517	573	690	736	900	1,125	1,317	1,511
	Suspended sentence	23	23	16	11	14	36	257	354	452	804	969
	Community sentences	878	940	922	927	992	1,053	1,015	1,127	1,242	1,381	1,815
	Fines	387	354	321	396	368	337	366	410	365	405	459
	Other disposals	575	593	605	668	726	698	799	906	931	897	1,157
Average custodial sentence length (months) <sup>(1)</sup>	3.5	3.3	3.4	3.4	3.5	3.7	3.9	3.5	3.5	3.3	3.2	3.3
<b>Summary motoring offences</b>	<b>Total number sentenced</b>	<b>827</b>	<b>778</b>	<b>804</b>	<b>802</b>	<b>795</b>	<b>759</b>	<b>672</b>	<b>993</b>	<b>1,068</b>	<b>895</b>	<b>948</b>
	<i>Number given:</i>											
	Immediate custody	316	274	302	267	275	226	197	215	257	243	209
	Suspended sentence	1	5	2	5	2	13	56	86	111	110	176
	Community sentences	209	210	238	253	240	210	132	158	148	148	156
<b>All offences</b>	Fines	249	230	200	224	237	202	213	343	385	303	317
	Other disposals	52	59	62	53	41	88	74	191	167	91	90
	Average custodial sentence length (months) <sup>(1)</sup>	3.8	3.8	3.7	4.0	3.8	3.7	3.7	3.5	3.3	3.2	3.3
	<b>Total number sentenced</b>	<b>74,341</b>	<b>72,068</b>	<b>76,191</b>	<b>76,063</b>	<b>76,254</b>	<b>75,741</b>	<b>76,586</b>	<b>81,506</b>	<b>88,828</b>	<b>94,590</b>	<b>101,951</b>
	<i>Number given:</i>											
<b>All offences</b>	Immediate custody	46,212	44,405	46,694	44,274	44,938	43,986	42,586	44,034	49,177	51,802	52,609
	Suspended sentence	1,901	1,633	1,506	1,558	1,555	2,585	10,235	15,217	17,446	19,749	21,927
	Community sentences	19,606	19,528	21,656	23,094	22,807	22,403	17,232	14,817	15,339	16,174	19,238
	Fines	2,512	2,550	2,353	2,699	2,454	2,354	2,141	2,488	2,320	2,302	2,511
	Other disposals	4,110	3,952	3,982	4,438	4,500	4,413	4,392	4,950	4,546	4,563	5,666
Average custodial sentence length (months) <sup>(1)</sup>	22.4	24.2	25.9	26.3	26.5	25.5	24.7	24.0	24.5	24.3	24.3	

(1) Excludes life and indeterminate sentences.

(R) Revisions have been made to 2009 figures to account for the late receipt of a small number of court records.

**Table 5.4 Persons sentenced to immediate custody and average custodial sentence length at all courts by offence group, 2000-2010**

England and Wales										Persons sentenced	
Offence group	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009 <sup>(R)</sup>	2010
Violence against the person	11,414	11,389	11,792	11,467	12,274	12,842	12,354	12,535	13,380	14,085	13,982
Sexual offences	2,427	2,398	2,561	2,502	2,832	2,826	2,807	2,807	3,000	2,987	3,287
Burglary	13,677	12,476	13,350	11,820	10,814	9,550	9,229	9,237	9,360	10,028	10,447
Robbery	4,341	4,775	5,881	5,150	5,063	4,407	4,802	4,772	5,095	5,155	4,946
Theft and handling stolen goods	25,983	26,205	27,945	25,517	22,759	20,472	19,631	19,612	21,008	19,958	22,284
Fraud and forgery	3,735	3,835	3,774	3,903	4,173	4,582	4,410	5,196	5,675	5,388	4,713
Criminal damage	1,222	1,202	1,178	1,201	1,266	1,282	1,333	1,330	1,157	1,037	1,096
Drug offences	8,141	8,499	8,284	8,140	7,981	7,783	7,532	8,186	9,488	9,426	9,693
Other (excl motoring offences)	8,106	7,585	8,178	8,725	10,470	10,685	9,715	8,790	8,902	10,886	11,346
Indictable motoring offences	1,738	1,909	2,208	2,369	2,306	1,991	1,720	1,572	1,393	1,315	1,145
<b>All indictable offences</b>	<b>80,784</b>	<b>80,273</b>	<b>85,151</b>	<b>80,794</b>	<b>79,938</b>	<b>76,291</b>	<b>73,532</b>	<b>74,037</b>	<b>79,058</b>	<b>80,265</b>	<b>82,939</b>
Summary non-motoring offences	9,318	9,051	9,545	9,470	11,215	12,075	12,571	13,277	14,089	14,698	14,634
Summary motoring offences	16,085	16,949	16,911	17,406	15,169	12,870	9,914	7,892	6,378	5,268	3,940
<b>All summary offences</b>	<b>25,403</b>	<b>26,000</b>	<b>26,456</b>	<b>26,876</b>	<b>26,384</b>	<b>24,945</b>	<b>22,485</b>	<b>21,169</b>	<b>20,467</b>	<b>19,966</b>	<b>18,574</b>
<b>All offences</b>	<b>106,187</b>	<b>106,273</b>	<b>111,607</b>	<b>107,670</b>	<b>106,322</b>	<b>101,236</b>	<b>96,017</b>	<b>95,206</b>	<b>99,525</b>	<b>100,231</b>	<b>101,513</b>

England and Wales										Average custodial sentence length <sup>(1)</sup>	
Offence group	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009 <sup>(R)</sup>	2010
Violence against the person	15.8	16.7	17.6	18.8	18.8	17.8	16.8	16.9	17.2	17.7	17.8
Sexual offences	38.7	37.8	39.6	40.0	40.0	41.6	41.0	42.9	44.0	48.7	48.7
Burglary	15.9	16.6	17.5	17.1	17.5	17.4	17.1	16.7	17.4	18.4	18.7
Robbery	36.1	35.4	38.9	39.3	38.4	35.0	32.3	31.3	32.5	33.6	34.5
Theft and handling stolen goods	4.2	4.2	4.1	4.2	4.3	4.3	4.3	4.1	4.0	4.2	4.1
Fraud and forgery	8.7	8.6	8.4	8.7	9.1	10.3	10.8	10.0	10.8	10.4	11.0
Criminal damage	14.9	15.9	16.4	16.5	16.7	15.1	12.9	12.6	14.9	18.9	18.0
Drug offences	30.1	32.5	34.5	35.2	37.3	35.8	33.8	31.9	32.7	32.1	30.7
Other (excl motoring offences)	8.5	9.2	9.9	9.9	8.6	9.2	9.0	9.5	10.9	9.9	9.6
Indictable motoring offences	7.7	7.9	8.3	8.5	8.7	8.5	9.1	8.8	9.4	9.1	9.6
<b>All indictable offences</b>	<b>14.0</b>	<b>14.7</b>	<b>15.5</b>	<b>15.7</b>	<b>16.1</b>	<b>15.8</b>	<b>15.3</b>	<b>15.2</b>	<b>16.0</b>	<b>16.5</b>	<b>16.2</b>
Summary non-motoring offences	2.7	2.7	2.7	2.7	2.8	2.8	2.8	2.7	2.7	2.6	2.6
Summary motoring offences	3.4	3.4	3.4	3.5	3.5	3.4	3.4	3.3	3.2	3.1	3.1
<b>All summary offences</b>	<b>3.1</b>	<b>3.2</b>	<b>3.2</b>	<b>3.2</b>	<b>3.2</b>	<b>3.1</b>	<b>3.0</b>	<b>3.0</b>	<b>2.8</b>	<b>2.8</b>	<b>2.7</b>
<b>All offences</b>	<b>11.4</b>	<b>11.8</b>	<b>12.6</b>	<b>12.6</b>	<b>12.9</b>	<b>12.6</b>	<b>12.4</b>	<b>12.4</b>	<b>13.3</b>	<b>13.7</b>	<b>13.7</b>

(1) Excludes life and indeterminate sentences.

(R) Revisions have been made to 2009 figures to account for the late receipt of a small number of court records.

**Table 5.5 Persons sentenced to immediate custody at all courts by length of sentence and average custodial sentence length, 2000-2010**

England and Wales										Number of persons	
Persons given immediate custody and sentence length	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009 <sup>(R)</sup>	2010
<b>All offences</b>											
Total persons sentenced	1,414,188	1,338,522	1,410,504	1,479,812	1,536,825	1,473,275	1,412,940	1,406,788	1,353,937	1,398,278	1,357,600
Number given immediate custody	106,187	106,273	111,607	107,670	106,322	101,236	96,017	95,206	99,525	100,231	101,513
Percentage given immediate custody (%)	7.5	7.9	7.9	7.3	6.9	6.9	6.8	6.8	7.4	7.2	7.5
Up to and including 3 months	41,585	40,884	42,542	40,748	39,707	37,100	34,712	34,427	35,738	36,071	38,316
Over 3 months and up to and including 6 months	28,514	29,030	29,419	29,504	28,492	26,756	24,422	23,109	22,338	21,321	20,181
Over 6 months and less than 12 months	5,940	5,670	5,724	5,340	5,678	5,851	5,728	6,154	6,920	7,177	7,052
12 months	5,635	5,478	5,683	5,256	5,244	5,414	5,245	5,479	5,652	5,837	5,618
Over 12 months and up to and including 18 months	6,706	6,512	7,046	6,518	6,366	6,258	6,232	6,271	6,751	7,289	7,343
Over 18 months and up to and including 3 years	10,261	10,273	11,241	10,562	10,695	10,385	10,374	10,470	11,516	12,077	12,358
Over 3 years and less than 4 years	1,354	1,617	1,969	1,861	2,082	1,745	1,533	1,458	1,629	1,811	1,937
4 years	1,789	1,917	2,251	2,128	2,146	1,745	1,607	1,603	1,903	1,977	1,934
Over 4 years and up to and including 5 years	1,536	1,748	2,099	2,090	2,161	1,920	1,670	1,611	1,998	1,980	2,061
Over 5 years and up to and including 10 years	2,091	2,332	2,679	2,747	2,772	2,658	2,190	2,109	2,614	2,784	2,796
Over 10 years and less than life	309	309	399	403	409	353	309	316	405	485	514
Indeterminate sentence <sup>(1)</sup>	:	:	:	:	:	426	1,448	1,707	1,538	1,001	1,019
Life	467	503	555	513	570	625	547	492	523	421	384
Average custodial sentence length (months) <sup>(2)</sup>	11.4	11.8	12.6	12.6	12.9	12.6	12.4	12.4	13.3	13.7	13.7
<b>Indictable offences</b>											
Total persons sentenced	324,882	321,866	335,523	332,466	315,806	305,502	301,488	311,191	314,941	326,592	347,422
Number given immediate custody	80,784	80,273	85,151	80,794	79,938	76,291	73,532	74,037	79,058	80,265	82,939
Percentage given immediate custody (%)	24.9	24.9	25.4	24.3	25.3	25.0	24.4	23.8	25.1	24.6	23.9
Up to and including 3 months	27,119	26,428	28,093	26,439	25,437	23,808	22,381	22,421	23,533	23,692	26,290
Over 3 months and up to and including 6 months	17,580	17,494	17,418	16,942	16,380	15,109	14,285	13,952	14,083	13,768	13,684
Over 6 months and less than 12 months	5,939	5,664	5,720	5,336	5,677	5,848	5,725	6,150	6,916	7,158	7,023
12 months	5,633	5,477	5,682	5,255	5,243	5,412	5,241	5,477	5,650	5,828	5,607
Over 12 months and up to and including 18 months	6,706	6,511	7,045	6,518	6,366	6,257	6,230	6,271	6,750	7,284	7,337
Over 18 months and up to and including 3 years	10,261	10,273	11,241	10,562	10,695	10,385	10,369	10,470	11,516	12,076	12,353
Over 3 years and less than 4 years	1,354	1,617	1,969	1,861	2,082	1,745	1,532	1,458	1,629	1,811	1,937
4 years	1,789	1,917	2,251	2,128	2,146	1,745	1,607	1,603	1,903	1,977	1,934
Over 4 years and up to and including 5 years	1,536	1,748	2,099	2,090	2,161	1,920	1,670	1,611	1,998	1,980	2,061
Over 5 years and up to and including 10 years	2,091	2,332	2,679	2,747	2,772	2,658	2,189	2,109	2,614	2,784	2,796
Over 10 years and less than life	309	309	399	403	409	353	309	316	405	485	514
Indeterminate sentence <sup>(1)</sup>	:	:	:	:	:	426	1,447	1,707	1,538	1,001	1,019
Life	467	503	555	513	570	625	547	492	523	421	384
Average custodial sentence length (months) <sup>(2)</sup>	14.0	14.7	15.5	15.7	16.1	15.8	15.3	15.2	16.0	16.5	16.2

(1) Sentences of imprisonment for public protection introduced by the Criminal Justice Act 2003 on 4 April 2005.

(2) Excludes life and indeterminate sentences.

(R) Revisions have been made to 2009 figures to account for the late receipt of a small number of court records.

**Table 5.6 Juveniles sentenced for all offences by type of sentence (detailed), 2000 - 2010**

Sentence	England and Wales										Persons sentenced					
	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009 <sup>(R)</sup>	2010					
<b>Immediate custodial sentences</b>																
S90-92 PCC(S) Act 2000	582	527	729	474	560	469	448	389	500	417	411					
Secure training order	85	*	*	*	*	*	*	*	*	*	*					
Detention and training order	5,074	7,069	6,684	5,726	5,757	5,447	5,587	5,279	4,875	4,479	3,757					
Young offender institution	1,673	-	3	-	8	-	-	-	-	-	-					
Extended sentence for public protection	*	*	*	*	*	73	103	101	53	17	10					
Indeterminate sentence for public protection (IPP)	*	*	*	*	*	26	45	61	70	27	41					
<b>Total immediate custody</b>	<b>7,414</b>	<b>7,596</b>	<b>7,416</b>	<b>6,200</b>	<b>6,325</b>	<b>6,015</b>	<b>6,183</b>	<b>5,830</b>	<b>5,498</b>	<b>4,940</b>	<b>4,219</b>					
<b>Community sentences</b>																
Community rehabilitation order	2,441	2,486	2,325	2,231	2,121	1,836	1,584	1,851	1,800	1,547	375					
Supervision order	11,556	11,083	10,502	9,870	10,119	10,600	11,196	11,952	9,642	8,080	1,701					
Community punishment order	4,830	4,313	3,331	2,770	2,586	2,445	1,878	1,915	1,711	1,622	240					
Attendance centre order	6,380	5,205	3,551	2,757	2,781	2,807	2,789	3,199	2,658	2,301	364					
Community punishment and rehabilitation order	1,981	1,788	1,663	1,509	1,316	1,234	1,184	1,327	1,429	1,546	386					
Curfew order	440	1,294	2,353	2,940	4,050	4,141	4,173	4,690	5,237	5,837	1,495					
Reparation order	3,984	7,975	5,004	3,111	3,087	3,217	3,745	4,055	4,066	3,562	2,414					
Action plan order	4,356	8,650	6,181	4,348	4,486	4,832	4,867	4,865	4,074	3,245	307					
Drug treatment and testing order	4	65	69	69	47	36	12	11	3	2	-					
Referral order <sup>(1)</sup>	*	*	19,208	25,347	26,122	29,958	30,070	32,142	29,423	28,154	25,780					
Community order <sup>(2)</sup>	*	*	*	*	*	*	*	*	*	*	-					
Youth Rehabilitation order	*	*	*	*	*	*	*	*	*	*	59					
<b>Total community sentences</b>	<b>35,972</b>	<b>42,859</b>	<b>54,187</b>	<b>54,952</b>	<b>56,715</b>	<b>61,106</b>	<b>61,498</b>	<b>66,007</b>	<b>60,043</b>	<b>55,955</b>	<b>47,746</b>					
<b>Other sentences</b>																
Absolute or conditional discharge	22,646	17,510	14,187	14,116	12,683	12,055	11,641	12,207	10,993	10,019	10,099					
Fine	21,391	22,039	15,120	13,508	15,666	14,054	11,599	10,453	9,047	7,955	6,503					
Suspended sentence <sup>(3)</sup>	-	-	-	-	-	3	-	1	-	-	-					
Otherwise dealt with	4,057	5,481	3,638	3,755	4,799	2,970	2,885	2,889	2,794	2,675	5,299					
<b>Total other sentences</b>	<b>48,094</b>	<b>45,030</b>	<b>32,945</b>	<b>31,379</b>	<b>33,148</b>	<b>29,082</b>	<b>26,125</b>	<b>25,550</b>	<b>22,834</b>	<b>20,649</b>	<b>21,901</b>					

(1) Referral orders now include numbers of extension of referral orders, and may therefore not be the same as previously published figures.

(2) Community orders were introduced by the Criminal Justice Act 2003 for offences committed from 4 April 2005.

(3) Suspended sentences are not available for juveniles

(R) Revisions have been made to 2009 figures to account for the late receipt of a small number of court records.

**Table 5.7 Adults sentenced for all offences by type of sentence (detailed), 2000-2010**

England and Wales	Persons sentenced										
	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009 <sup>(R)</sup>	2010
<b>Sentence</b>											
<b>Immediate custodial sentences</b>											
S90-92 PCC(S) Act 2000	-	-	-	11	5	10	13	9	10	19	4
Young offender institution	18,441	17,948	17,363	15,427	14,631	14,039	13,518	13,831	13,113	13,815	13,052
Unsuspected imprisonment	80,270	80,686	86,377	85,158	84,058	79,166	73,624	72,861	78,818	80,066	82,817
Extended sentence of imprisonment (EPP)	62	43	451	874	1,194	1,420	1,196	1,029	618	417	443
Indeterminate sentence for public protection (IPP)	*	*	*	*	*	400	1,403	1,646	1,468	974	978
Intermittent custody	*	*	*	*	109	186	80	-	-	-	-
<b>Total immediate custody</b>	<b>98,773</b>	<b>98,677</b>	<b>104,191</b>	<b>101,470</b>	<b>99,997</b>	<b>95,221</b>	<b>89,834</b>	<b>89,376</b>	<b>94,027</b>	<b>95,291</b>	<b>97,294</b>
<b>Community sentences</b>											
Community rehabilitation order	54,018	56,461	61,456	60,971	58,540	31,747	2,270	431	233	175	117
Community punishment order	45,153	45,451	47,460	47,612	51,300	32,363	3,954	626	359	197	84
Attendance centre order	661	619	480	526	651	498	380	256	210	216	155
Community punishment and rehabilitation order	17,260	12,874	13,821	13,650	14,656	9,578	1,084	261	169	163	78
Curfew order	2,157	2,569	3,913	6,659	11,092	7,988	2,338	1,904	1,473	1,243	788
Drug treatment and testing order	317	4,164	5,203	6,989	8,549	5,505	294	27	7	1	-
Referral order <sup>(1)</sup>	*	*	*	63	-	-	-	-	-	-	-
Community order <sup>(2)</sup>	*	*	*	*	*	55,462	119,019	126,912	127,677	137,953	140,353
<b>Total community sentences</b>	<b>119,566</b>	<b>122,138</b>	<b>132,333</b>	<b>136,470</b>	<b>144,788</b>	<b>143,141</b>	<b>129,339</b>	<b>130,417</b>	<b>130,128</b>	<b>139,948</b>	<b>141,575</b>
<b>Other sentences</b>											
Absolute or conditional discharge	98,377	98,673	102,954	107,580	100,336	93,611	87,465	92,790	86,334	82,764	89,146
Fine	982,164	898,435	948,857	1,010,657	1,056,835	1,002,154	942,563	923,364	873,457	929,802	879,818
Suspended sentence <sup>(3)</sup>	3,072	2,755	2,519	2,717	2,855	9,663	33,509	40,687	41,151	45,157	48,118
Otherwise dealt with	20,756	22,359	25,102	28,387	35,826	33,282	36,424	32,767	40,465	23,772	27,783
<b>Total other sentences</b>	<b>1,104,369</b>	<b>1,022,222</b>	<b>1,079,433</b>	<b>1,149,341</b>	<b>1,195,852</b>	<b>1,138,710</b>	<b>1,099,961</b>	<b>1,089,608</b>	<b>1,041,407</b>	<b>1,081,495</b>	<b>1,044,865</b>

(1) Referral orders now include numbers of extension of referral orders, and may therefore not be the same as previously published figures.

(2) Community orders were introduced by the Criminal Justice Act 2003 for offences committed from 4 April 2005.

(3) Fully suspended sentence for offences committed prior to 4 April 2005, suspended sentence order for offences committed from 4 April 2005.

(R) Revisions have been made to 2009 figures to account for the late receipt of a small number of court records.



**Table 5.8 Persons<sup>(1)</sup> sentenced at all courts for indictable offences by ethnicity and result, 2010**

England and Wales	Offence type / group	Ethnicity					
		Total	White	Black	Asian	Other	Unknown
<b>Indictable offences</b>							
	Absolute discharge	1,835	1,432	125	57	24	197
	Conditional discharge	42,803	33,902	2,981	1,357	553	4,010
	Fine	59,437	42,508	6,051	3,112	669	7,097
	Community sentence	108,495	83,699	9,415	4,574	1,257	9,550
	Suspended sentence	34,176	25,557	2,718	1,722	722	3,457
	Immediate custody	82,939	59,805	8,485	4,838	2,569	7,242
	Otherwise dealt with	17,737	12,690	2,170	928	272	1,677
	<b>Total</b>	<b>347,422</b>	<b>259,593</b>	<b>31,945</b>	<b>16,588</b>	<b>6,066</b>	<b>33,230</b>

(1) Includes cases reported to the Ministry of Justice as sex 'not stated'.

## **Offences [Tables 6.1 – 6.4]**

*This chapter differs from the others in the publication by counting on an all offence basis, as opposed to a principal offence basis. Courts and the police typically deal with defendants charged with more than one offence; for example, in 2010 each offender committed on average 1.4 offences.*

The ratio of proven offences per offender remained stable from 2000 to 2007 at between 1.6 and 1.7 and fell to 1.4 in 2010. In comparison with 2000, proven offences fell by 19 per cent to 1.92 million in 2010, whereas convicted offenders fell by four per cent to 1.37 million in 2010. In comparison with 2000, proven offences per offender:

- fell from 2.0 to 1.7 in 2010, for indictable offences.
- rose from 1.1 to 1.2 in 2010, for summary non-motoring offences;
- fell from 2.0 to 1.4 in 2010, for summary motoring offences.

## **Convictions (offences basis)**

In 2010 there were 1.92 million convictions on an all offences basis, a decrease of five per cent from 2009. From a peak of 2.66 million in 2004 there have been year-on-year decreases, with an overall fall of 28 per cent when compared with 2010.

Compared to 2009 there was:

- an increase of three per cent in proven offences for indictable offences (595,000 in 2010).
- a decrease of four per cent in proven offences for summary non-motoring offences (609,000 in 2010).
- a decrease of 11 per cent in proven offences for summary motoring offences (716,000 in 2010).

Indictable offences accounted for 31 per cent of convictions in 2010, a rise of two percentage points compared with 2009, and the highest proportion since 2000. In comparison, summary non-motoring offences accounted for 32 per cent of all convictions, unchanged in comparison with 2009, but a rise of 10 percentage points compared with 2000. Summary motoring offences accounted for 37 per cent of all offences in 2010, a fall of three per cent compared with 2009, and a fall of 13 per cent compared with 2000.

## **Cautions (offences basis)**

In 2010 there were 265,000 cautions issued for offences, a decrease of 17 per cent from 2009. This decrease continues the downward trend observed from 2007 where cautions peaked at 397,000. Prior to this, there had been year on year rises from 2002 to 2007.

Compared to 2009 there was:

- a decrease of 16 per cent in cautions issued for indictable offences (145,000 in 2010).
- a decrease of 19 per cent in cautions issued for summary non-motoring offences (119,000 in 2010).

Indictable offences accounted for 55 per cent of caution offences in 2010, a rise of one percentage point on 2009 but a fall of nine percentage points compared with 2000. Summary non-motoring offences accounted for 45 per cent of caution offences in 2010, a fall of one percentage point on 2009, but a rise of nine percentage points compared with 2000.

### **Offences Brought to Justice (notifiable offences)**

One measure of justice outcomes is Offences Brought to Justice (OBTJ). An offence is said to have been brought to justice when a 'notifiable offence'<sup>16</sup> results in an offender being convicted, cautioned, issued with a penalty notice for disorder or a cannabis warning, or having an offence taken into consideration at court.

In 2010 there were 1.26 million OBTJs, a decrease of six per cent compared to 2009. Recorded crime totals for the same period also fell by six per cent.

Offences brought to justice increased from 1.01 million in 2000 to a series high of 1.46 million in 2007. The total has been steadily falling since 2007 with an average decrease of five per cent each year.

In 2010:

- convictions accounted for 61 per cent of OBTJs (767,000), a rise of five percentage points on 2009;
- cautions accounted for 20 per cent of OBTJs (251,000), a fall of three percentage points on 2009;
- penalty notices for disorder accounted for seven per cent of OBTJs (91,900), a fall of one percentage point on 2009;
- formal warnings for cannabis possession accounted for six per cent of OBTJs (79,100), a decrease of less than half of one percentage point from 2009.
- offences taken into consideration accounted for six per cent of OBTJs (74,100), unchanged from 2009.

In comparison with 2000, there has been a decrease in the proportion of OBTJs dealt with by a conviction from 68 per cent to 61 per cent. This fall is accounted for by the introduction in this period of penalty notices for disorder and formal warnings for cannabis possession.

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<sup>16</sup> Notifiable offences are those offences which require the police to record an incident as a crime and report the occurrence to the Home Office.

### **OBTJs by offence group**

In 2010, the main offence groups which make up OBTJs were 'violence against the person' (29 per cent), 'theft and handling stolen goods (25 per cent) and 'drug offences' (18 per cent). Of these offences, 'violence against the person' continued to make up the largest share of OBTJs, accounting for just under a third of all OBTJs in 2010; an average of 27 per cent since 2000.

In comparison with 2000, the proportion of OBTJs accounted for by violence against the person has increased from 21 per cent to 29 per cent in 2010, and 'drug offences' has increased from 12 per cent to 18 per cent. In the same period 'theft and handling stolen goods' fell from 35 per cent to 25 per cent.

**Table 6.1 - Cautions administered by offence group 2000 - 2010** <sup>(1)(2)(3)</sup>

England and Wales	Number of offences (thousands)										
	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010 <sup>(4)</sup>
Violence against the person	20.6	20.6	24.8	30.2	38.3	51.8	59.4	54.1	39.3	28.5	23.0
Sexual offences	1.4	1.4	1.3	1.5	1.7	1.8	2.1	2.1	1.8	1.6	1.4
Burglary	7.0	7.0	6.2	5.9	6.1	6.8	8.4	7.5	6.0	4.8	3.8
Robbery	0.6	0.6	0.4	0.4	0.5	0.6	0.7	0.6	0.4	0.2	0.2
Theft and handling stolen goods	74.4	73.6	61.5	61.3	71.0	72.5	81.9	82.2	73.4	68.8	53.7
Fraud and forgery	7.2	7.1	6.6	6.6	7.2	7.4	9.3	9.6	9.2	8.0	6.8
Criminal damage	3.5	3.9	3.5	4.1	5.9	7.5	9.9	9.7	8.7	6.9	5.4
Drug offences	42.4	40.9	46.5	47.4	34.4	34.5	39.7	45.9	50.0	46.1	43.3
Other indictable offences	4.7	4.6	4.7	5.6	6.3	7.0	9.9	10.5	9.1	8.5	7.6
Summary non-motoring offences	93.4	93.3	88.7	98.1	109.8	118.8	161.3	174.7	161.5	147.4	119.5
<b>All Offences</b> <sup>(5)</sup>	<b>255.4</b>	<b>253.0</b>	<b>244.3</b>	<b>261.1</b>	<b>281.2</b>	<b>308.8</b>	<b>382.8</b>	<b>397.0</b>	<b>359.4</b>	<b>320.8</b>	<b>264.7</b>

(1) Excluding all motoring offences.

(2) Includes reprimands and warnings for juveniles.

(3) On an all offence basis.

(4) December 2010 cautions data for Dyfed Powys and Lancashire have been sourced from Police National Computer.

(5) May not sum due to rounding.

**Table 6.2 - Convictions by offence group, 2000 - 2010<sup>(1)</sup>**

England and Wales	Number of offences (thousands)											
	2000	2001	2002	2003	2004	2005	2006	2007	2008 <sup>(2)</sup>	2009 <sup>(R)</sup>	2010	
Offence group												
Violence against the person	49.9	50.2	53.6	54.7	56.2	58.8	60.3	59.8	57.9	57.9	59.7	
Sexual offences	12.5	12.9	14.0	13.6	15.3	15.4	15.8	17.1	16.8	16.9	18.2	
Burglary	46.9	43.7	47.5	45.7	41.4	38.3	37.7	37.7	36.9	31.1	31.5	
Robbery	9.4	10.6	12.2	11.9	12.1	11.4	12.8	14.2	12.9	12.9	12.0	
Theft and handling stolen goods	230.5	226.2	227.3	215.0	197.1	183.2	177.7	183.0	184.2	175.4	179.5	
Fraud and forgery	72.8	70.5	68.8	66.9	68.5	66.2	59.7	57.4	55.6	52.4	53.7	
Criminal damage	19.5	18.9	19.6	20.2	21.4	21.3	23.3	21.9	16.3	12.3	11.9	
Drug offences	80.5	80.6	86.9	92.1	76.0	76.0	77.2	82.2	93.8	89.9	97.5	
Other indictable offences	133.6	134.8	149.5	170.4	164.2	156.1	140.9	139.5	126.4	123.1	126.4	
Indictable motoring offences	6.0	6.2	7.3	7.9	7.7	6.7	6.2	6.2	5.6	4.7	4.4	
Summary non-motoring offences	521.8	515.2	540.1	565.7	641.7	643.0	622.7	624.3	619.4	635.8	609.1	
Summary motoring offences	1,200.1	1,164.0	1,215.3	1,333.6	1,359.9	1,234.6	1,099.3	958.2	818.2	806.0	716.3	
<b>All offences<sup>(3)</sup></b>	<b>2,383.6</b>	<b>2,333.8</b>	<b>2,442.1</b>	<b>2,597.6</b>	<b>2,661.5</b>	<b>2,510.9</b>	<b>2,333.6</b>	<b>2,201.4</b>	<b>2,044.0</b>	<b>2,018.3</b>	<b>1,920.3</b>	

R – revisions have been made to 2009 figures to account for the late receipt of a small number of court records

(1) On an all offence basis.

(2) Excludes convictions data for Cardiff magistrates' court for April, July, and August 2008.

(3) May not sum due to rounding.

**Table 6.3 - Number of offences brought to justice (notifiable) over a 12 month period by outcome and numbers of recorded crimes, 2000 - 2010<sup>(1)</sup>**

	Number of offences (thousands)						
	Offences brought to justice (OBTJ)			Recorded crimes <sup>(6)</sup>			
England and Wales	Offences taken into consideration <sup>(2)</sup>	Penalty notices for disorder <sup>(3)</sup>	Formal warnings for cannabis possession <sup>(4)</sup>	Cautions <sup>(5)</sup>	Convictions	Total OBTJs	Recorded crimes <sup>(6)</sup>
2000	89	*	*	231	692	1,013	5,195
2001	88	*	*	231	682	1,001	5,422
2002	99	1	*	223	708	1,031	5,844
2003	95	3	*	238	723	1,060	5,932
2004	107	30	19	264	707	1,127	5,685
2005	114	99	50	312	698	1,274	5,495
2006	123	142	77	370	694	1,405	5,387
2007	108	144	98	383	722	1,456	4,983
2008 <sup>(7)</sup>	105	117	105	345	731	1,404	4,722
2009 <sup>(R)</sup>	86	112	88	304	756	1,346	4,386
2010	74	92	79	251	767	1,263	4,101

R – revisions have been made to 2009 figures to account for the late receipt of a small number of court records.

(1) Excludes British Transport Police.

(2) Offences taken into consideration by the court and previously recorded by the police, figures for April 2004 onwards include offences not previously recorded.

(3) Piloted in 2002 and introduced nationally in 2004.

(4) Introduced in April 2004.

(5) December 2010 cautions data for Dyfed Powys and Lancashire have been sourced from Police National Computer.

(6) The introduction of the National Crime Recording Standards (NCRS) in April 2002 resulted in significant increases in the number of crimes recorded.

(7) Excludes convictions data for Cardiff magistrates' court for April, July, and August 2008.

**Table 6.4 - Number of offences brought to justice (notifiable) by offence group, 2000 - 2010 <sup>(1)(2)</sup>**

England and Wales	Number of offences (thousands)										
	2000	2001	2002	2003	2004	2005	2006	2007	2008 <sup>(3)</sup>	2009 <sup>(R)</sup>	2010 <sup>(4)</sup>
Violence against person	216	216	230	245	296	393	455	468	418	395	363
Sexual Offences	14	15	16	15	15	16	16	17	17	17	18
Burglary	78	73	82	75	39	73	78	72	74	66	63
Robbery	11	12	14	13	44	13	14	15	14	14	13
Theft and handling stolen goods	356	352	343	367	373	345	368	374	363	349	321
Fraud and forgery	84	81	78	71	74	75	65	61	64	66	64
Criminal damages	95	95	94	98	113	138	158	161	140	124	105
Drug offences	117	117	129	122	119	157	188	220	243	235	233
Other notifiable offences	42	41	46	55	54	63	63	66	71	80	82
<b>All offences<sup>(5)</sup></b>	<b>1,013</b>	<b>1,001</b>	<b>1,031</b>	<b>1,060</b>	<b>1,127</b>	<b>1,274</b>	<b>1,405</b>	<b>1,456</b>	<b>1,404</b>	<b>1,346</b>	<b>1,263</b>

R – revisions have been made to 2009 figures to account for the late receipt of a small number of court records

(1) Excludes British Transport Police.

(2) Includes estimates for incomplete data.

(3) Excludes convictions data for Cardiff magistrates' court for April, July, and August 2008.

(4) December 2010 cautions data for Dyfed Powys and Lancashire have been sourced from Police National Computer.

(5) May not sum due to rounding.



## **Offending Histories [Tables 7.1 – 7.5]**

*Information presented in this section differs from previous sections, in that all information is taken from the Police National Computer (PNC). The main difference is that the PNC does not include a range of less serious summary offences (such as TV licence evasion and a range of motoring offences) and so the figures do not match those given in previous chapters.*

This section provides an overview of the changing structure of the known offending population with information on the breakdown of offences committed by new offenders and repeat offenders, the trends in new entrants to the criminal justice system, and breakdowns of the criminal histories of cautioned and sentenced offenders

### **First offences and further offences [Tables and figures 7.1-7.2]**

*An offence is defined as a first offence if it results in the offender receiving their first reprimand, warning, caution or conviction – i.e. they have no previous criminal history recorded on the PNC. Offences resulting in further reprimands, warnings, cautions or convictions are known as further offences since the offender already has a recorded criminal history.*

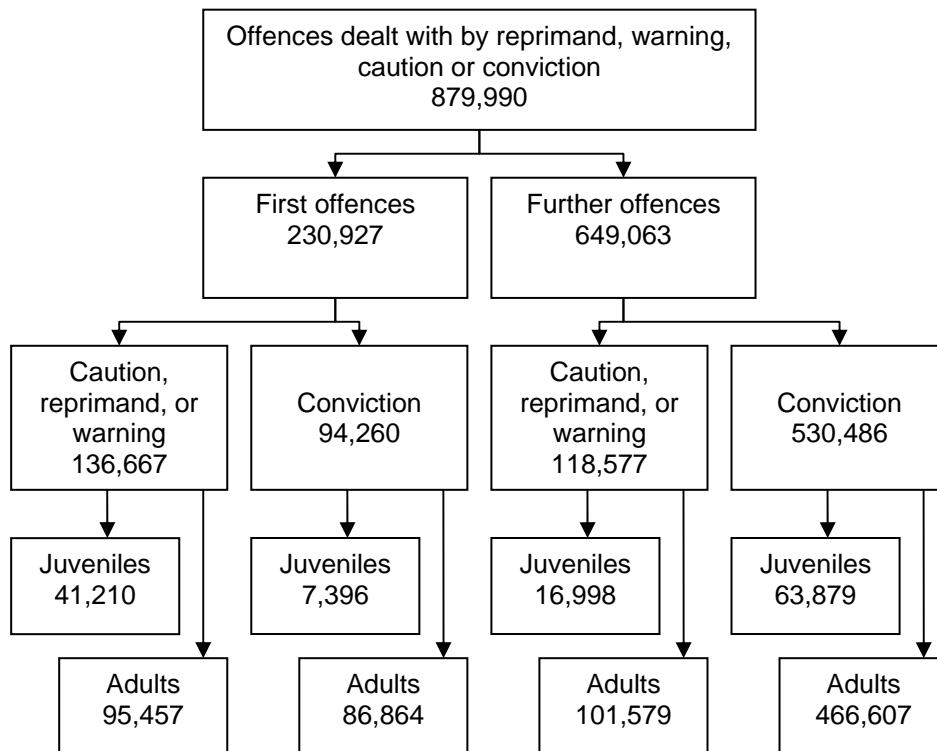
Offenders committed 880,000<sup>17</sup> offences that resulted in a reprimand, warning, caution or conviction in 2010, 26.2 per cent were first offences, and 73.8 per cent were further offences. In comparison:

- In 2009 there were 926,000 offences, with 28.4 per cent first offences and 71.6 per cent further offences.
- Over the last decade the number of offences steadily increased from 811,000 in 2000, reaching a peak of 999,000 in 2007. This increase was mainly due to an increase in the use of cautions, for both first and further offences.
- First offences comprised 33 per cent of offences between 2000 to 2007 but the proportion has fallen in recent years as the use of cautions, which are often the preferred sanction for first offenders, has fallen relative to convictions for first offences.

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<sup>17</sup> When an offender has been cautioned or convicted of several offences on the same occasion only one offence has been counted; the figures therefore represent counts of separate cautioning or sentencing occasions as recorded on the PNC rather than counts of every proven offence. An offender can therefore only have one first offence but may have numerous further offences. This means that the first offence figures described here are equal to the figures for first time entrants described below.

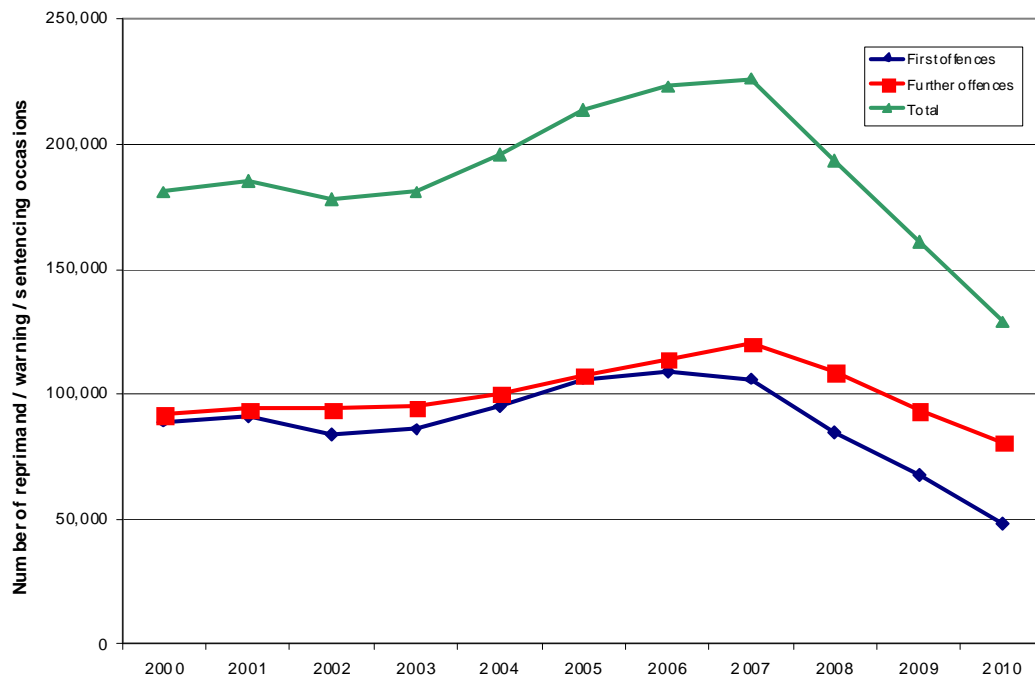
**Figure 7.1. First offences and further offences in 2010**



Juveniles committed 129,000 offences that resulted in a reprimand, warning or conviction in 2010. 37.5 per cent were first offences, and 62.5 per cent were further offences.

- In 2000 181,000 offences were committed, with 49.2 per cent being first offences.
- The number of offences peaked in 2007 at 226,000, and has since fallen sharply due to falls in the number of reprimands and final warnings issued by the police.

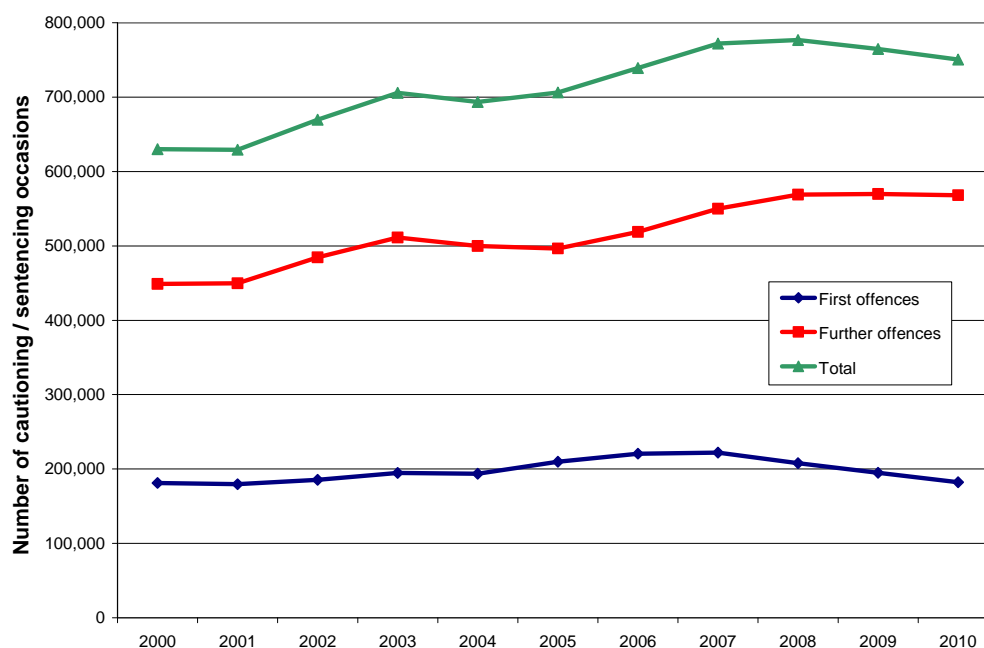
**Figure 7.2. Juvenile first and further offences in England and Wales between 2000 and 2010**



Adults committed 750,507 offences resulting in a caution or conviction in 2010. 24.3 per cent were first offences and 75.7 per cent were further offences.

- Unlike offences committed by juveniles, those committed by adults that resulted in a caution or conviction peaked in 2008 at (777,000) and since then have fallen by less than 4 per cent.
- First offences committed by adults peaked in 2007 and have declined year on year by around 6 per cent per year. By comparison further offences committed by adults have remained around the 569,000 level since 2008.

**Figure 7.3. Adult first and further offences in England and Wales between 2000 and 2010**



## First time entrants to the criminal justice system in England and Wales

*First time entrants to the criminal justice are classified as offenders, resident in England and Wales, who received their first reprimand, warning, caution or conviction, based on data recorded by the police on the PNC.*

In 2010 there were 231,000 first time entrants (FTE) to the criminal justice system, this is a decrease of 12 per cent compared to 2009 and 30 per cent down on the 2006 peak of 330,000. Compared to the 2000 figure of 270,000 the 2010 figure shows a fall of 15 per cent.

Within the 2010 total 48,606 were juveniles, a figure that has fallen by 28 per cent since 2009 and 56 per cent since 2006.

When expressed as a rate per 100,000 people in the population juvenile first time entrants have fallen by 54 per cent since the peak in 2006 whilst for adults the fall was 19 per cent.

The changes comprise the following:

- A 31 per cent reduction in the number of reprimands and warnings for juvenile FTEs (aged 10 to 17) and a nine per cent reduction in the number of cautions for adults between 2009 and 2010. Between the 2006 peak and 2010 the equivalent reductions were 59 per cent for juveniles and 22 per cent for adults.
- In 2010 convictions accounted for 41 per cent of first time entrants, the largest proportion over the last 10 years. Juvenile convictions accounted for three per cent of this figure and adults the remaining 38 per cent.

- The decline in the use of reprimands, warnings and cautions in dealing with FTEs is consistent with the reduction in the use of these disposals for all offenders and coincides with the increasing focus on more serious offending.
- At the offence group level, comparing 2009 and 2010 for offenders of all ages, first time entrants fell in all categories except for sexual offences and robbery which increased by five per cent to 3,300 and seven per cent to 1,700 respectively. Of those offence groups showing falls the theft and handling group was down 19 per cent to 38,800, summary offences excluding motoring were down 12 per cent to 86,000 and summary motoring offences were down 14 per cent to 32,000. These three offence groups accounted for 80 per cent of the reduction in first time entrants.

## **Criminal Histories**

*An offender is counted as having a criminal history if their PNC record shows that, at the time of receiving a reprimand, warning, caution or conviction, they had previously committed one or more offences that had resulted in one of these sanctions. Because the PNC data excludes a range of summary offences the figures presented focus on the criminal histories of offenders cautioned or sentenced for indictable offences.*

### **Criminal histories of offenders cautioned for indictable offences**

Just over half of offenders who committed indictable offences and were cautioned in 2010 had no previous criminal history, although three per cent had 15 or more previous caution/conviction occasions:

- 54.1 per cent of offenders of all ages who received a reprimand, warning or caution for an indictable offence in 2010 had no previous offences;
- 3.2 per cent of offenders had received a reprimand, warning, caution or conviction on 15 or more previous occasions. The majority of these offenders received a reprimand, warning or caution for drug offences and theft and handling stolen goods offences;
- The equivalent figures for the year 2000 show that the criminal history profile of cautioned offenders is changing over time: 67.3 per cent had no previous offences while 1.3 per cent had 15 or more previous occasions.

71.7 per cent of juvenile offenders who received a reprimand or warning in 2010 for an indictable offence had no previous offences;

- The equivalent figure in 2000 was 76.8 per cent.
- Most of those with previous offences had received a reprimand or warning only;
- 2.1 per cent of juveniles given a reprimand or warning in 2010 had a previous conviction. The majority of these offenders received a reprimand or warning for drug offences and theft and handling stolen goods offences.

48.0 per cent of adult offenders cautioned in 2010 for an indictable offence had no previous offences;

- This compares with 60.0 per cent in 2000;
- 4.3 per cent of adults cautioned in 2010 had been cautioned or convicted on 15 or more previous occasions. The majority of these offenders were cautioned for drug offences and theft and handling stolen goods offences;
- Adult females given a caution are more likely to be first time offenders than adult males; 62.1 per cent of females cautioned in 2010 had no previous record of committing an offence, compared with 43.3 per cent of male offenders.

### **Criminal histories of offenders sentenced for indictable offences**

The criminal history profile of sentenced offenders is changing over time. More offenders sentenced for indictable offences in 2010 had previous offences, and a higher proportion of offenders had 15 or more previous convictions or cautions:

- the proportion of all offenders sentenced for indictable offences who had 15 or more previous convictions or cautions has increased steadily from 16.8 per cent in 2000 to 28.9 per cent in 2010;
- Over the same period the proportion of sentences given to offenders with no previous convictions or cautions fell from 12.3 per cent to 10.5 per cent.

### Previous custodial sentences

Just over two thirds (67.1 per cent) of offenders who received an immediate custodial sentence for an indictable offence in 2010 had had a custodial sentence before. The proportion of those given a community sentence having had a previous community sentence was 62.9 per cent.

### Criminal history by sentence type

The criminal history of offenders receiving different sentences varies by sentence, with custodial sentences associated with higher levels of previous offences, in 2010:

- 43 per cent of adult offenders receiving custodial sentences have 15 or more previous convictions/cautions.
- 27 per cent of adult offenders receiving a fine have 15 or more previous convictions/cautions

**Table 7.1: Proportion of offenders sentenced for indictable offences by previous criminal history and sentence received in 2010**

	Number of previous convictions/ cautions						All offenders (100%)
	0	1-2	3-6	7-10	11-14	>=15	
<b>Juveniles</b>							
<b>Absolute discharge</b>	8.2	38.8	36.7	8.0	4.7	3.5	971
<b>Conditional discharge</b>	2.6	18.5	48.0	17.6	7.7	5.6	3,295
<b>Fine</b>	1.2	19.1	48.7	18.1	8.2	4.7	1,698
<b>Community sentence</b>	14.9	38.3	32.3	8.8	3.2	2.4	29,197
<b>Immediate custody</b>	7.3	13.2	30.7	21.7	13.0	14.1	4,281
<b>Other<sup>(1)</sup></b>	8.7	23.6	34.3	16.8	9.4	7.2	1,983
<b>All disposals<sup>(2)</sup></b>	12.1	32.6	34.3	11.6	5.1	4.2	41,462
<b>Adults</b>							
<b>Absolute discharge</b>	10.9	13.4	15.0	11.3	8.6	40.9	746
<b>Conditional discharge</b>	10.0	19.8	19.9	11.7	8.9	29.7	35,538
<b>Fine</b>	6.5	16.9	24.6	14.6	10.2	27.1	55,870
<b>Community sentence</b>	11.1	16.5	21.8	13.1	9.2	28.3	71,748
<b>Fully suspended</b>	15.7	17.7	21.0	12.4	8.6	24.6	33,347
<b>Immediate custody</b>	10.3	9.7	14.2	12.0	10.8	43.0	79,178
<b>Other<sup>(1)</sup></b>	8.9	13.0	16.8	12.6	9.8	38.9	16,231
<b>All disposals</b>	10.3	15.1	19.7	12.8	9.8	32.4	292,658

<sup>1</sup> The 'Other' category includes some deferred sentences that the police will update on the PNC at a later date when the final decision is known.

<sup>2</sup> For juveniles the all disposals figures include fully suspended sentences.

#### Criminal history by offence type

The criminal history of an offender varies with the type of offence. In 2010:

- Only 5.1 per cent of offenders convicted of burglary, 5.8 per cent of offenders convicted of theft and handling stolen goods and 7.0 per cent of offenders convicted of drug offences were first time offenders
- This compares with 38.0 per cent of those convicted of sexual offences, 34.3 per cent of those convicted of fraud and forgery and 24.0 per cent of those convicted of indictable motoring offences.

36.5 per cent of offenders sentenced for burglary in 2010 had three or more previous burglary offences. The number who received a custodial sentence increased from 692 in 2009 to 778 in 2010. The Crown Court is required to impose an immediate custodial sentence of at least three years for a third domestic burglary when conditions defined by legislation<sup>18</sup> are met. Offenders pleading guilty can receive a 20 per cent reduction in the length of their sentence, reducing a three year sentence to 28.8 months; half of those given a custodial sentence in 2010 received a sentence of 28.8 months or more.

62.5 per cent of offenders who were sentenced for shoplifting had three or more previous convictions or cautions for shoplifting.

<sup>18</sup> Section 111 of the Powers of Criminal Courts (Sentencing) Act 2000

**Table 7.2 First offences and further offences committed by offenders of all ages<sup>(1)</sup> and resulting in a reprimand, warning, caution or conviction, England and Wales, 2000 - 2010**

	Number of offences and percentages																																																																																																		
	Males and females					Males					Females																																																																																								
	First offences	Further offences	Total	First offences	Further offences	Total	First offences	Further offences	Total	First offences	Further offences	Total	First offences	Further offences	Total																																																																																				
12 month period to the end of	Number of offences																																																																																																		
December	270,203	540,843	811,046	199,724	469,009	668,733	69,053	71,781	140,834	270,499	544,262	814,761	199,110	472,290	671,400	69,883	71,916	141,799	269,098	578,879	847,977	198,092	501,025	699,117	69,711	77,767	147,478	280,697	606,167	886,864	206,043	523,106	729,149	73,017	82,938	155,955	288,811	600,569	889,380	207,665	516,023	723,688	79,212	84,382	163,594	316,016	603,912	919,928	224,883	518,394	743,277	89,065	85,311	174,376	329,984	632,644	962,628	235,097	543,725	778,822	92,830	88,627	181,457	327,840	670,695	998,535	231,499	574,057	805,556	94,216	96,255	190,471	292,578	677,706	970,284	208,280	580,017	788,297	82,213	97,244	179,457	262,542	663,115	925,657	184,787	567,792	752,579	75,526	94,827	170,353	230,927	649,063	879,990	164,490	556,788	721,278	63,597	91,684	155,281
12 month period to the end of	Percentage of Total																																																																																																		
December	33.3	66.7	100.0	29.9	70.1	100.0	49.0	51.0	100.0	33.2	66.8	100.0	29.7	70.3	100.0	49.3	50.7	100.0	31.7	68.3	100.0	28.3	71.7	100.0	47.3	52.7	100.0	31.7	68.3	100.0	28.3	71.7	100.0	46.8	53.2	100.0	32.5	67.5	100.0	28.7	71.3	100.0	48.4	51.6	100.0	34.4	65.6	100.0	30.3	69.7	100.0	51.1	48.9	100.0	34.3	65.7	100.0	30.2	69.8	100.0	51.2	48.8	100.0	32.8	67.2	100.0	28.7	71.3	100.0	49.5	50.5	100.0	30.2	69.8	100.0	26.4	73.6	100.0	45.8	54.2	100.0	28.4	71.6	100.0	24.6	75.4	100.0	44.3	55.7	100.0	26.2	73.8	100.0	22.8	77.2	100.0	41.0	59.0	100.0

(1) Primary offences, as recorded on the Police National Computer, classified according to whether or not the offender had any previous reprimands, warnings, cautions or convictions



**Table 7.3 Number of first time entrants to the criminal justice system<sup>(1)</sup> in England and Wales, 2000 - 2010 by gender and age group**

12 month period to the end of December	Males and females <sup>(2)</sup>						Males			Females		
	Males		Females		All ages		Juveniles	Adults	All ages	Juveniles	Adults	All ages
	Juveniles	Adults	Juveniles	Adults	Juveniles	Adults	All ages	Adults	All ages	Juveniles	Adults	All ages
2000	88,952	181,251	270,203	135,148	64,576	135,148	199,724	135,148	199,724	24,321	44,732	69,053
2001	90,991	179,508	270,499	133,134	65,976	133,134	199,110	133,134	199,110	24,927	44,956	69,883
2002	83,793	185,305	269,098	137,462	60,630	137,462	198,092	137,462	198,092	23,066	46,645	69,711
2003	86,047	194,650	280,697	144,300	61,743	144,300	206,043	144,300	206,043	24,201	48,816	73,017
2004	95,133	193,678	288,811	141,264	66,401	141,264	207,665	141,264	207,665	28,593	50,619	79,212
2005	106,064	209,952	316,016	152,097	72,786	152,097	224,883	152,097	224,883	33,073	55,992	89,065
2006	109,421	220,563	329,984	159,982	75,115	159,982	235,097	159,982	235,097	33,962	58,868	92,830
2007	105,874	221,966	327,840	159,785	71,714	159,785	231,499	159,785	231,499	33,750	60,466	94,216
2008	84,643	207,935	292,578	150,585	57,695	150,585	208,280	150,585	208,280	26,588	55,625	82,213
2009	67,662	194,880	262,542	139,712	45,075	139,712	184,787	139,712	184,787	22,320	53,206	75,526
2010	48,606	182,321	230,927	130,245	34,245	130,245	164,490	130,245	164,490	14,062	49,535	63,597

(1) Offenders recorded on the Police National Computer (PNC) by an English or Welsh police force or by the British Transport Police their operating in England and Wales as having received first conviction, caution, reprimand or warning. Offences resulting in Penalty Notices for Disorder are not counted as first offences.

(2) Including offenders whose gender is not recorded on the PNC.

**Table 7.4 Offenders receiving a reprimand, warning or caution for an indictable offence by age group and previous criminal history in 2010**

England & Wales	Number and percentage of offenders					
	Number of previous convictions/cautions					
	0	1-2	3-6	7-10	11-14	15+ All offenders
<b>Juveniles</b>	71.7	27.2	0.8	0.1	0.1	100.0
	25,012	9,491	288	50	21	34,868
<b>Adults</b>	48.0	25.7	14.2	5.2	2.6	100.0
	48,913	26,215	14,482	5,254	2,699	101,897
<b>All ages</b>	54.1	26.1	10.8	3.9	2.0	100.0
	73,925	35,706	14,770	5,304	2,720	136,765

**Table 7.5 Offenders sentenced for indictable offences by previous criminal history and gender, 2000 - 2010**

England & Wales	Number and percentage of offenders										
	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
<b>Males</b>											
<b>By number of previous convictions</b>											
0	18.9	18.9	18.1	17.8	18.2	19.0	19.0	18.9	18.5	18.5	18.1
1-2	19.4	18.7	17.9	17.1	16.9	17.2	17.4	17.4	16.8	16.8	17.0
3-6	22.2	21.7	20.8	20.0	19.3	18.8	18.9	18.8	18.1	17.9	17.9
7-10	13.5	13.7	13.8	13.5	12.8	12.3	12.1	11.9	11.8	11.6	11.4
11-14	8.9	9.1	9.7	9.8	9.6	9.2	8.8	8.7	8.7	8.6	8.5
15+	17.0	17.9	19.8	21.7	23.2	23.6	23.7	24.3	26.1	26.6	27.1
<b>By number of convictions in the previous 12 months</b>											
0	49.5	49.5	48.4	47.6	47.3	48.6	49.0	48.6	48.1	48.7	49.6
1-2	36.7	36.8	36.8	36.3	35.6	34.8	34.7	34.2	33.0	32.3	31.2
3-6	12.9	12.9	13.8	14.9	15.5	15.0	14.7	15.4	16.5	16.3	15.9
7-10	0.7	0.7	0.8	1.0	1.2	1.2	1.3	1.3	1.8	2.2	2.5
11-14	0.1	0.1	0.1	0.1	0.2	0.2	0.2	0.2	0.3	0.4	0.5
15+	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.2	0.2	0.2	0.3
<b>By number of previous convictions or cautions</b>											
0	10.9	10.6	10.0	9.9	10.3	10.5	10.1	9.7	9.5	9.5	9.6
1-2	19.8	19.2	18.3	17.6	17.3	17.7	17.9	17.6	16.8	16.8	16.5
3-6	26.0	25.1	24.2	23.2	22.6	22.3	22.7	22.7	21.8	21.7	21.5
7-10	15.4	15.6	15.4	14.9	14.1	13.6	13.6	13.5	13.3	13.1	12.9
11-14	9.8	10.2	10.8	10.9	10.5	10.1	9.7	9.6	9.8	9.6	9.4
15+	18.1	19.2	21.4	23.6	25.2	25.7	26.0	26.7	28.8	29.5	30.1
<b>By number of convictions or cautions in the previous 12 months</b>											
0	43.5	44.0	43.2	42.5	42.3	43.0	42.7	41.7	41.5	42.3	43.9
1-2	40.8	40.8	40.6	40.1	39.3	38.9	39.2	39.1	37.8	36.9	35.5
3-6	14.6	14.3	15.1	16.1	16.8	16.4	16.4	17.3	18.2	17.8	17.1
7-10	0.8	0.7	0.9	1.1	1.3	1.3	1.4	1.5	2.0	2.3	2.7
11-14	0.1	0.1	0.1	0.2	0.2	0.2	0.2	0.2	0.3	0.4	0.5
15+	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.2	0.2	0.2	0.3
All offenders (100%)	272,997	272,457	284,995	286,645	272,781	262,390	260,860	270,356	281,838	279,151	286,645
<b>Females</b>											
<b>By number of previous convictions</b>											
0	30.6	30.3	28.8	27.0	28.1	29.1	30.1	29.6	28.2	28.8	28.6
1-2	23.5	22.1	21.1	20.2	19.5	19.5	19.7	19.6	18.6	18.8	18.7
3-6	21.1	21.0	20.8	20.4	19.4	18.6	17.6	17.9	17.0	16.5	16.3
7-10	10.1	10.7	11.3	11.8	11.5	10.9	10.2	10.0	10.6	10.0	9.6
11-14	5.7	6.0	6.6	7.3	7.1	7.1	7.0	6.5	7.0	7.0	7.0
15+	8.9	9.8	11.4	13.3	14.4	14.8	15.4	16.3	18.7	19.0	19.8
<b>By number of convictions in the previous 12 months</b>											
0	56.1	56.0	54.4	52.1	52.6	53.9	55.5	55.3	53.4	54.6	55.5
1-2	32.5	32.3	32.9	33.1	32.4	31.8	30.7	30.6	29.3	28.3	27.4
3-6	10.5	10.7	11.7	13.4	13.4	13.0	12.9	13.2	15.4	14.8	14.2
7-10	0.6	0.6	0.8	1.2	1.2	1.1	0.8	0.8	1.6	1.9	2.3
11-14	0.1	0.2	0.1	0.2	0.2	0.1	0.1	0.1	0.2	0.2	0.4
15+	0.2	0.2	0.1	0.1	0.1	0.1	0.0	0.0	0.1	0.1	0.2
<b>By number of previous convictions or cautions</b>											
0	19.0	18.6	17.2	15.7	16.6	16.9	17.4	16.7	15.4	15.7	15.8
1-2	26.9	25.5	24.1	23.2	22.6	22.7	23.1	22.6	21.8	22.0	21.7
3-6	26.2	25.6	25.5	24.6	23.5	23.4	22.7	23.4	21.5	21.7	21.3
7-10	11.7	12.6	13.2	13.4	13.1	12.3	11.8	11.7	12.4	11.4	11.0
11-14	6.5	6.9	7.4	8.4	8.3	8.2	7.7	7.4	8.0	7.9	7.9
15+	9.8	10.8	12.6	14.8	15.9	16.5	17.3	18.2	20.9	21.3	22.3
<b>By number of convictions or cautions in the previous 12 months</b>											
0	47.6	48.0	46.7	44.8	45.3	45.8	46.9	46.2	44.6	46.3	47.7
1-2	38.8	38.4	38.7	38.5	38.1	37.9	37.3	37.4	36.2	34.9	33.8
3-6	12.5	12.5	13.4	15.1	15.0	14.8	14.8	15.2	17.1	16.3	15.5
7-10	0.7	0.7	0.9	1.2	1.3	1.2	0.9	1.0	1.8	2.1	2.4
11-14	0.1	0.2	0.1	0.2	0.3	0.1	0.1	0.1	0.2	0.3	0.4
15+	0.2	0.2	0.1	0.1	0.1	0.1	0.0	0.0	0.1	0.1	0.2
All offenders (100%)	49,301	49,096	52,133	53,072	51,613	47,871	44,873	46,236	47,666	47,207	47,051
<b>All offenders</b>											
<b>By number of previous convictions</b>											
0	20.8	20.7	19.8	19.4	19.9	20.6	20.7	20.6	19.9	20.1	19.7
1-2	20.0	19.2	18.4	17.6	17.3	17.5	17.8	17.7	17.0	17.1	17.2
3-6	22.0	21.5	20.8	20.0	19.3	18.7	18.7	18.7	17.9	17.7	17.6
7-10	12.9	13.2	13.4	13.2	12.5	12.0	11.8	11.6	11.6	11.3	11.1
11-14	8.4	8.7	9.2	9.4	9.2	8.9	8.6	8.4	8.5	8.4	8.3
15+	15.8	16.7	18.5	20.3	21.7	22.2	22.5	23.1	25.0	25.5	26.1
<b>By number of convictions in the previous 12 months</b>											
0	50.6	50.5	49.4	48.4	48.2	49.5	50.0	49.7	48.9	49.6	50.4
1-2	36.0	36.1	36.1	35.7	35.1	34.3	34.0	33.7	32.5	31.7	30.7
3-6	12.5	12.5	13.5	14.6	15.2	14.7	14.5	15.1	16.4	16.0	15.7
7-10	0.7	0.7	0.8	1.0	1.2	1.2	1.2	1.2	1.8	2.1	2.5
11-14	0.1	0.1	0.1	0.2	0.2	0.2	0.2	0.2	0.3	0.4	0.5
15+	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.2	0.2	0.2
<b>By number of previous convictions or cautions</b>											
0	12.3	12.0	11.2	10.9	11.4	11.6	11.3	10.8	10.4	10.4	10.5
1-2	20.9	20.2	19.2	18.5	18.1	18.5	18.6	18.3	17.5	17.5	17.2
3-6	26.0	25.2	24.4	23.4	22.7	22.4	22.7	22.8	21.8	21.7	21.5
7-10	14.8	15.1	15.0	14.6	14.0	13.4	13.3	13.3	13.1	12.8	12.6
11-14	9.3	9.7	10.3	10.5	10.1	9.8	9.4	9.3	9.5	9.3	9.2
15+	16.8	17.9	20.0	22.2	23.7	24.3	24.7	25.5	27.6	28.3	28.9
<b>By number of convictions or cautions in the previous 12 months</b>											
0	44.2	44.7	43.8	42.9	42.8	43.5	43.3	42.4	41.9	43.0	44.5
1-2	40.5	40.4	40.3	39.8	39.1	38.7	38.9	38.8	37.5	36.6	35.3
3-6	14.2	14.0	14.9	15.9	16.4	16.1	16.2	17.0	18.1	17.6	16.8
7-10	0.8	0.7	0.9	1.1	1.3	1.3	1.3	1.4	2.0	2.3	2.6
11-14	0.1	0.1	0.1	0.2	0.2	0.2	0.2	0.2	0.3	0.4	0.5
15+	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.2	0.2	0.3
All offenders (100%)	322,783	321,991	337,471	340,061	324,847	310,638	306,116	316,960	329,788	326,735	334,120

## **Explanatory notes**

The statistics in this bulletin relate to cases in the Crown and magistrates' courts in England and Wales during 2010. This is the first set of combined quarterly criminal statistics to be published by the Ministry of Justice, subsuming a number of previous bulletins including Criminal Statistics: England & Wales, Quarterly Sentencing Statistics, and Young people aged 10-17 receiving their first reprimand, warning or conviction.

### **Symbols and conventions**

The following symbols have been used throughout the tables in this bulletin:

- \* = Not applicable
- = Nil
- (R) = Revised data
- (P) = Provisional data

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